

AD 7
May 7, 2025
Ct. 28
SG

Allowed

CRM(A) 1149 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kaliganj P.S. Case No.165 dated 21.02.2025 under Sections 58/117(2)/109 of the BNS.

And

In the matter of:

Manbahar Sk @ Mandal Tebu @ Tebu and others
... petitioners

Mr. Habibur Rahaman
Mr. Archisman Singh

... for the petitioners

Ms. Sreyashee Biswas
Mr. Kaustav Banerjee

... for the State

Service report filed by the State is taken on record.

Learned counsel appearing for the petitioners submits that the petitioners are the husband, the father-in-law, the mother-in-law and the sister-in-law of the alleged victim. The marriage took place between the couple about five years ago. Some disputes cropped up between the private parties. However, there was no assault or torture made. The petitioners want to take back the wife, who had gone away from her matrimonial home on her own volition.

Learned counsel for the State submits that although the neighbours supported prosecution in their statements recorded by the police, they have denied having any knowledge about any incident in their statements recorded

before the Magistrate. The injury report also does not indicate any external injury other than mild abrasion.

In view of the materials available in the case diary and the statements of neighbours as recorded before the learned Magistrate, I am inclined to grant anticipatory bail to the petitioners.

In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) each with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and on the further conditions that the petitioners shall cooperate with the investigation, shall not threaten or intimidate witnesses and the petitioner Nos.1 and 2 shall meet the investigating officer once a fortnight till submission of report in final form.

The application for anticipatory bail is, thus, allowed.

(Jay Sengupta, J.)