

AD 15
April 11, 2025
Ct. 28
SG

Allowed

CRM(A) 1165 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kharagpur (Local) P.S. Case No.145 of 2025 dated 13.02.2025 under Sections 85/115(2)/117(2)/109(1)/351(2)/3(5) of the BNS, 2023.

And

In the matter of: *Arunava Pal*

... *petitioner*

Mr. Soumyajit Das Mahapatra
Ms. Madhurai Sinha
Mr. Ranabeer Halder

... for the petitioner.

Mr. Bidyut Kumar Roy
Ms. Debadrita Mondal

... for the State

Learned counsel appearing for the petitioner submits as follows. The petitioner is the husband. The de facto complainant had earlier filed an FIR against the petitioner and withdrew the case upon settlement. Thereafter she prayed for maintenance. It was decided that a mutual divorce would take place. Even after all these, the present FIR was lodged, which is substantially similar as the earlier one.

Learned counsel for the State submits that there is no injury report in respect of the alleged assault. There are statements of witnesses available in the case diary.

In view of the materials available in the case diary, I do not think that custodial interrogation of the petitioner is required in this case.

In the event of arrest, the petitioner 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 petitioner shall meet the investigating officer of the case once a fortnight till submission of report in final form that the petitioner shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

(Jay Sengupta, J.)