

29.04.2025
Court No.28
Item No.14
ssi

CRM (A) 1193 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Arambagh Women PS FIR No. 142 dated **27.11.2024** under Sections **85/115(2)/109/316(2)/351(2)/3 (5) of BNS.**

And

In the matter of: **Brindaban Pal**

....Applicant/Petitioner.

Mr. Pintu Karar
Mr. Akashdeep Mukherjee
Mr.Sourav Roy

...for the petitioner.

Ms. Sukanya Bhattacharya
Ms. Suveni Banerjee

..for the State

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the husband of the de facto complainant wife. The marriage took place about 1 ½ years ago. The petitioner is not responsible in any way for the wife consuming any poisonous substance. During pendency of this matter, the petitioner has gone with the Investigating Officer, met the victim and requested her to return back to the matrimonial home. But, she refused.

Learned counsel appearing on behalf of the State submits that there are materials in the case diary to support the prosecution case. In her statement, the victim has stated about torture meted out to the petitioner by the husband and the other in laws. She has also alluded to a relation of the husband to an another lady, but also admitted that she had taken the said mosquito oil when she was severely depressed.

In view of the nature of allegations, 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/- 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 further conditions that the petitioner shall not try to influence the witnesses or threaten them and the petitioner shall meet the I.O. once a week till submission of report in final form.

The application for anticipatory bail is, thus, disposed of.

(Jay Sengupta, J.)