

05.05.2025
Court No.28
Item No.51
tbsr
Allowed

CRM (A) 1453 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Ketugram** P.S. Case No.**63 of 2025** dated **11.02.2025** under Sections **85/75(2)/76/115(2)/3(5)** of the Bharatiya Nyaya Sanhita 2023.

And

In the matter of: **Basudev Barui @ Basudeb Barui & Anr.**

....Petitioners.

Mr. Navanil De
Mr. Srinjan Ghosh
...for the petitioners.

Ms. Sukanya Bhattacharya
Mr. Sujoy Sarkar
.....for the State.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the parents in law of the victim. Initially, the de facto complainant had lodged a complaint before the Uttar Pradesh police that the prime accused being the son of the present petitioners was not marrying her. After about two years, the petitioner no. 1 was constrained to obtain an order of injunction from a civil Court restraining the victim from entering the house. The order was passed on 10.01.2025. The present FIR was lodged much later on 11.02.2025 as a counter action.

Learned counsel appearing on behalf of the State relies on the statements of the victim and the neighbours including the ones recorded before learned Magistrate. She submits that there are allegations of torture. The brother-in-law of the victim was granted bail after sometime.

Considering the nature of allegations, the prior action taken before the civil Court, the fact that the FIR was lodged much after the order of injunction obtained by the petitioner no. 1 and the fact that charge sheet has already been submitted, I am inclined to grant anticipatory bail to the present petitioners.

In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- 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 further condition that the petitioners shall not threaten or intimidate witnesses and shall attend the jurisdictional Court on the dates fixed and shall cooperate with the investigation.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)