

28.04.2025
Court No.28
Item No.48
ssi

CRM (A) 1337 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with **Balurghat Women** Case No.**05 of 2025** dated **06.02.2025** under Sections **85/115(2/109/89/351 (3)/3 (5)** of the BNS 2023.

And

In the matter of: **Anirban Halder @ Anirban Haldar**

....Applicant/Petitioner.

Mr. Indranuj Dutta
Ms. Benazir Sk

...for the petitioner.

Mr. Arindam Sen
Mr. Anindya Sundar Chatterjee

...for the State

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the husband of the de facto complainant/ alleged victim. Although the victim alleged an attempt to forcibly established physical relationship on 02.10.2024 and claimed that she had to leave the matrimonial home on 04.10.2024, the FIR was lodged about four months later on 06.02.2025. There are friendly Whatsapps chats made between them during this period. There was no case of forcible abortion of foetus.

Learned counsel appearing on behalf of the State relies on the case diary and submits as follows. The statements of witnesses clearly make out a prima facie case. There was a dowry demand and torture.

From a perusal of the doctor's statement, it does not appear that the termination pregnancy was a forcible one or there was any reference to any domestic violence.

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

In view thereof, the prayer for anticipatory bail is allowed.

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 co-operate with the investigation and meet the I.O. as and when required.

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

(Jay Sengupta, J.)