

28/04/2025

D/L 49
Ct. No.28
S.Kundu
Allowed

C.R.M.(A) 1338 of 2025

In Re:- An application for anticipatory bail under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023/under Section 438 of the Code of Criminal Procedure. In connection with the Jiaganj police station case no. 5 of 2025 dated 5.1.2025 under Sections 109/115(2)/118(2)/126(2)/3(5) of the BNS.

In the matter of: Priya sonar

... Petitioner

Mr. Sabir Ahmed
Mr. A. Rakib
Mr. Biswajit Sakar
Mr. D. Banerjee
Mr. M. Mehedi
Mr. Yusuf Ali

...for the petitioner.

Mr. Imran Ali
Mr. A. Islam

...for the State.

1. Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner's sister got married to the de-facto complainant. Earlier, the present de-facto complainant had tortured his wife, which led to registration of a case, *inter alia*, under Section 498 (A) of the IPC. The present case is a counterblast in this regard. However, at present the husband and wife are staying together. The principal accused was granted bail in this case. The victim did not receive any grievous injury.
2. Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail and submits that the

statement of witnesses and the injury report clearly make out a *prima facie* case.

3. In view of the materials available in the case diary, the role ascribed to the present petitioner and the fact that the charge-sheet has been submitted, I am inclined to grant anticipatory bail to the petitioner.
4. In the event of arrest, the petitioner 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 further conditions that the petitioner shall not threaten or intimidate witnesses.
5. Accordingly, the application for anticipatory bail is allowed.
6. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)