

21/05/2025

D/L 12
Ct. No.28
S.Kundu
Allowed

C.R.M.(A) 1513 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 Harishchandrapur police station case no. 616 of 2023 dated 1.7.2023 under Section 363/366 of the IPC.

In the matter of: Md. Jasimuddin

... Petitioner

Mr. Sk. Sahajahan

...for the petitioner.

Mr. Adil Badr

Ms. Manashi Roy

...for the State.

1. Report showing that the de-facto complainant was intimated about the date of hearing, as filed in Court, is taken on record.
2. Learned counsel appearing for the petitioner submits as follows. The petitioner is the first husband of the alleged victim. He was not named in the FIR. He has been named as an accused only after submission of charge-sheet. The other accused being father of the victim and the person with whom the victim had allegedly eloped were granted anticipatory bail by this Court.
3. Learned counsel appearing for the State relies on the materials available in the case diary including the statement of the victim girl recorded before the learned Magistrate. However, he submits that the victim refused to undergo medical examination.

4. In view of the grant of anticipatory bail to the other co-accused and as charge-sheet has already been submitted, I do not think that custodial interrogation of the petitioner is required in this case and I am inclined to grant anticipatory bail to the petitioner.
5. 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. The petitioner shall attend the jurisdictional Court on the dates fixed.
6. Accordingly, the application for anticipatory bail is allowed.
7. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)