

07/05/2025

D/L 20
Ct. No.28
S.Kundu
Allowed

C.R.M.(A) 1475 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 Malda police station case no. 97 of 2025 dated 10.2.2025 under sections 108 of the BNS.

In the matter of: Sertaj Ali

... Petitioner

Mr. Abhra Mukherjee
Mr. S. Dutta
Mr. A. Mukherjee
Mr. S. K. Mondal
Mr. H. Ghosh

...for the petitioner.

Mr. S. Das
Mr. S. Talukdar

...for the State.

1. Learned counsel appearing for the petitioner submits as follows. It is alleged that the petitioner tried to establish a relationship with the wife of the de-facto complainant and this prompted the said wife to commit suicide. The FIR was registered 13 days after the incident. It appears that the wife had committed suicide because of marital discord.
2. Learned counsel appearing for the State relies on the statements of the witness including the neighbour and submits that the call detail records between the petitioner and the victim would show that there were 133 calls made by the victim to the petitioner and there were about 140 calls made by the petitioner to the victim. Charge-sheet has not been submitted.

3. Considering the nature of allegations and the materials contained in the case diary, I do not think that custodial interrogation of the petitioner is required in this case.
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 cooperate with the investigation and the petitioner shall not threaten or intimidate witnesses. The petitioner shall meet the I.O once a fortnight till submission of report in final form.
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.)