

26.06.2025
SL.44
Ct.No.28
NB

CRM (A) 1580 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Bhagwangola P.S. Case No.196/2025 dated 22.04.2025 under Sections 85/117(2)/109/3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 3/4 of the Dowry Prohibition Act pending before the learned Additional Chief Judicial Magistrate, Lalbagh, Murshidabad.

And

In the matter of : Md. Firoj Khan ... petitioner

Mr. Romit Dutta,
Ms. Sanjukta Samanta,
Mr. Arkadeb Nag.
...for the petitioner.

Mr. Imran Ali,
Mr. Abhinaba Mukherjee.
...for the State.

Mr. Abhinav Rakshit
...for the de facto complainant.

Report filed on behalf of the State is taken on record.

Let a copy of the report be handed over to the learned counsel for the de facto complainant.

Heard the learned counsels for the parties.

Although the statement of the minor child supports the prosecution, upon verification it is found that the de facto complainant/victim had given Talaq- I – Tafweez upon the petitioner on 05.08.2022 while she lodged the FIR much later on 22.04.2025.

Considering the above facts and the materials available in the case diary, I am inclined to allow the application for anticipatory bail.

Accordingly, 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 Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that he shall meet the Investigating Officer once a fortnight till submission of report in final form, cooperate with the investigation and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever.

The application for anticipatory bail being **CRM(A) 1580 of 2025** is, thus, allowed.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)