

20.05.2025
SL.36
Ct.No.28
NB
(Allowed)

CRM (A) 1602 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 Thanarpara P.S. Case No.307 of 2024 dated 14.12.2024 under Sections 85/117(1)/118(2)/316(2)/109/3(5) of the Bharatiya Nyay Sanhita, 2023 and Section 4 of the Dowry Prohibition Act pending before the Additional Chief Judicial Magistrate, Tehatta at Nadia.

And

In the matter of : Rahaman Malithya @ Malitha
.... petitioner

Mr. Santanu Talukdar,
Mr. Amanul Islam,
Mr. Sourav Mukherjee.
...for the petitioner.

Mr. Prasun Kr. Dutta,
Mr. Snigdha. Saha.
...for the State.

Leave is granted to amend the cause title.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the husband of the alleged victim. The FIR was registered four years after marriage. The father in law was granted anticipatory bail.

Learned counsel appearing on behalf of the State relies on the statements of witnesses including the local ones and the injury report. The injury appears to be simple.

Considering the materials available in the case diary and the fact that charge sheet has already been submitted, I am inclined to grant anticipatory bail to the petitioner.

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 not to threaten or intimidate witnesses and to attend the jurisdictional Court on the dates fixed. The petitioner shall appear before the learned Trial Court and pray for bail within five weeks from this date.

The application for anticipatory bail being **CRM(A) 1602 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.)