

20.05.2025
SL.104
Ct.No.28
NB
(Allowed)

CRM (A) 1676 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 Suri P.S. Case No.241 of 2025 dated 01.05.2025 under Sections 85/115(2)/109/351(3) of the Bharatiya Nyay Sanhita, 2023 and Section 3/4 of the Dowry Prohibition Act pending before the learned Chief Judicial Magistrate, Suri at Birbhum.

And

In the matter of : Dr. Junaid Hassan @ Pushan & Ors.
.... petitioners

Mr. Tapas Kr. Ghosh,
Mr. Tanmay Chowdhury.
...for the petitioners.

Mr. Shiladitya Banerjee,
Ms. Suchismita Dutta.
...for the State.

Mr. Francis Samson Correa,
Ms. Sneha Singh,
Ms. Nabeela Akbar.
...for the de facto complainant.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the husband and other in laws of the alleged victim. The marriage took place in January, 2024. Soon thereafter, differences grew between the private parties. The present case has been instituted with commonplace allegations. The victim is a student of LLM and is the daughter of a reputed lawyer.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail. He submits that the tortures inflicted have been portrayed in a detailed manner in the FIR.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He points to the statements of witnesses. However, there is no injury report available.

Considering the nature of allegations and the materials available in the case diary, I do not think that custodial interrogation of the petitioners are required in this case.

Accordingly, in the event of arrest, the petitioners 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 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 to cooperate with the investigation and to meet the Investigation Officer as and when required and not to threaten or intimidate witnesses in any manner whatsoever.

The application for anticipatory bail being **CRM(A) 1676 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.)