

23.05.2025
Court No.28
Item No.14
ssi

CRM (A) 1729 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Eco Park PS Case No.**92 of 2025** dated **07.05.2025** under Section **316(2)/85** of the BNS 2023.

And

In the matter of: **Prathmesh Kumar Kapurchand Gupta & others.**
....Applicants/Petitioners.

Mr. Suchit Talukdar
Mr. Karan Bapuli

...for the petitioners

Mr. S. S. Imam
Mr. A. Ganguly

..for the State

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

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the husband, the father in law, the mother in law and the sister in law of the alleged victim. The marriage between the couple took place seven years ago. The petitioner no.1 husband filed a divorce suit. After that, the instant FIR was lodged. In fact, the FIR was lodged ten months after the alleged victim had left her matrimonial home.

Learned counsel appearing on behalf of the State relies on the case diary and submits that the petitioners have not complied with the notice issued.

Considering the materials available in the case diary and the fact that the case was started after the petitioner no.1 had filed a divorce suit, I am inclined to grant anticipatory bail to the petitioners.

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 the Arresting Officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and on further conditions that the petitioners shall not threaten or intimidate witnesses and shall co-operate with investigation. The petitioners shall respond to the notices issued by the police under Section 35 (3) of the BNSS. However, it is clarified that since the petitioners are the residents of Maharashtra, any notice that is to be given to the petitioners should be adequate and provide at least ten days' time for the petitioner no. 1 to come and meet the Investigating Officer. The petitioner nos. 2, 3 and 4 shall be at liberty to comply with such notices virtually.

The application for anticipatory bail is, thus, disposed of.

(Jay Sengupta, J.)