

AD 39
July 14, 2025
Ct. 28
SG

Allowed

CRM(A) 1763 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Ketugram P.S. Case No.26 of 2025 dated 17.01.2025 under Sections 85/115(2)/117(2)/109(1)/351(2)/352/3(5) of the BNS, 2023.

And

In the matter of:

Ratan Sk.

... petitioner

Mr. K. Raihan Ahmed

... for the petitioner

Mr. Md. Adil Badr

Mr. S.S. Saha

... for the State

Learned counsel for the petitioner submits that the petitioner is the husband of the de facto complainant. The present FIR was lodged about five years after the marriage and after ten days of the last alleged date of occurrence.

Learned counsel for the State opposes the prayer for anticipatory bail and points to the FIR. Serious allegations which have been levelled. However, the victim refused to undergo any medical examination as would be evident from the letter written by her and as contained in page 29 of the case diary.

Considering the materials available in the case diary, including the refusal of the victim to undergo medical examination in respect of serious allegations of assault made

on her, I am inclined to grant anticipatory bail to the petitioner.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) 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 the further conditions that the petitioner shall meet the investigating officer once a week till submission of report in final form and shall stay outside the jurisdiction of Ketugram Police Station for a period of four months from this date except for meeting the investigating officer or attending the jurisdictional court and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)