

30.05.2025
Sl. No.13
akd/AP
[ALLOWED]

C. R. M. (A) 1807 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 23.05.2025 in connection with Tehatta Police Station Case No.366 of 2025 dated 17.05.2025 under Sections 85/82(1)/62/64/316(2)/110/3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 3/4 of the Dowry Prohibition Act.

And

In Re: **XXX & Ors.**

... .. Petitioners

Mr. Sourav Mukherjee

... .. for the petitioners

Mr. Soumya Basu Roy Chowdhuri

... .. for the de-facto complainant

Mrs. Sukanya Bhattacharya

Mr. Tirupati Mukherjee

... .. for the State

1. This is an application for anticipatory bail filed in connection with Tehatta Police Station Case No.366 of 2025 dated 17.05.2025 under Sections 85/82(1)/62/64/316(2)/110/3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 3/4 of the Dowry Prohibition Act.
2. Heard the learned Advocates representing the petitioners, de-facto complainant as well as the State.
3. The statements recorded under Section 183 of the Bharatiya Nyaya Suraksha Sanhita, 2023 as well as the injury report are not in sync with each other. The statement recorded under Section 180 of the Bharatiya Nyaya Suraksha Sanhita, 2023 appears to be general and omnibus. Injury report dated 15.01.2025 indicated the victim to have stated some family problem whereby she was beaten by her husband contrary to the serious allegations in the complaint and the statements

recorded under Section 183 of the BNSS, 2023. Moreover, no visible injury was detected. Further with regard to the allegation of sexual assault by the father-in-law being the petitioner no.2 herein, the victim refused to get herself medically examined on 22.05.2025.

4. Having considered the submissions of the learned Advocates for the respective parties and also considering the materials on record, this Court is of the view that custodial interrogation of the petitioners is not necessary and they may be granted anticipatory bail.

5. Accordingly, it is directed that in the event of arrest, the petitioners, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition that the petitioners shall cooperate with investigation and shall not intimidate witnesses or tamper with evidence in any manner whatsoever. Petitioner nos.1 and 2 shall meet the Officer-in-charge of the concerned police station once in a month until further orders.

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

(Ananya Bandyopadhyay, J.)