

24.07.2025
Item No.08.
Daily List
Court No.42
Mithun
(Allowed)

**IN THE HIGH COURT AT CALCUTTA.
CRIMINAL MISCELLANEOUS JURISDICTION**

CRM (M) 818 of 2025

In Re: An application for Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to 439 of the Criminal Procedure Code, 1973 in connection with Gangajalghati Police Station Case No.118 of 2024 dated 22.09.2024 under Sections 85/80(2) of BNS, 2023 corresponding special case no.31 of 2024 presently pending before the learned Chief Judicial Magistrate, Bankura, District Bankura, GR Case No.1289 of 2024 and after filing of charge sheet being no.149 of 2024 dated 11.12.2024 under section 107/3(5) of BNS, 2023 and Section 6 of the POCSO Act and Section 9 of the Prohibition of Child Marriage Act, 2006.

-And-

In the matter of : Habul Bauri

... Petitioner

Mr. Abhinaba Dan

...for the petitioner

Ms. Zareen Nasima Khan,
Mr. Tirthankar Dhali

... ...For the State

Learned Advocate for the petitioner submits that the victim was married to the son of the petitioner. She committed suicide in the matrimonial home by hanging. Nothing specific has been attributed to this petitioner who is the father-in-law of the victim. The petitioner is in custody for 140 days and upon completion of investigation, charge-sheet has been submitted against the petitioner under Sections 107/3(5) of the BNS. He seeks for enlargement of the petitioner on bail.

Opposing such prayer for bail, learned Advocate for the State submits that the victim was minor who was given in marriage with the principal accused and she committed suicide in the house of the present petitioner. He seeks for dismissal of the bail application.

Despite service, none appears on behalf of the *de facto* complainant.

Perused the case diary and the materials on record.

The allegations against the petitioner appear to be omnibus in nature. The victim was married to the son of the petitioner. The victim committed suicide by hanging in the house of the petitioner. Be that as it may, the complicity of the petitioner in solemnization of said marriage and commission of suicide by the victim may be examined and tested in trial. The petitioner is in custody for 140 days and upon completion of investigation, charge-sheet has been submitted against him under Section 107/3(5) of the BNS. Considering the above, I am inclined to enlarge the petitioner on bail on stringent conditions.

The petitioner, namely, **Habul Bauri** 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 a local, to the satisfaction of the learned Special Judge (POCSO) Court, Bankura subject to condition that the petitioner shall report to the Inspector-in-Charge of the concerned Police Station once in a fortnight until further orders. The petitioner shall not enter the jurisdiction of Gangajalghati Police Station except for the purpose of attending court proceedings and reporting to the Inspector-in-Charge of the concerned Police Station. The

petitioner shall furnish the address where he shall presently reside before the learned Trial Court, the investigating officer and the Inspector-in-Charge of the police station under whose jurisdiction he shall presently reside. The petitioner shall appear before the learned Trial Court on each and every date fixed and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fail to comply with the conditions as enshrined hereinbefore, it is open to the trial Court to cancel the bail without further reference to this Court.

It is made clear that the observation made hereinabove is only for the sake of disposal of this application.

Accordingly, **CRM (M) 818 of 2025** is disposed of.

(Bivas Pattanayak, J.)