

17.07.2025

Item No.38
Court No. 25
Sudipta

CRM (A) 2124 of 2025

In Re: An application for Anticipatory Bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Palashipara P.S. Case No. 158 of 2025 dated 08.04.2025** under Sections **85 / 115 (2) / 109/ 3(5) of BNS.**

And

In Re : **1. Sabirul Sk. @ Sekh**
2. Bipul Biswas

.....Petitioners

For the Petitioners :

Mr. Asraf Mandal

.....Advocate

For the State :

Mrs. Manisha Sharma

Mr. Sobhan Gani

.....Advocates

For the de facto complainant :

Mr. Priyankar Ganguly

Ms. Shalini Bairagi

.....Advocates

1. Learned counsel for the petitioners submits that the present complaint was made after around five years of marriage. Learned counsel submits that the allegations are general in nature. It has been submitted that before the present FIR, no complaint was made by the de facto complainant at any point of time.
2. Learned counsel for the State has fairly submitted that there was no injury report on the record nor did the complainant offer herself for medical examination.

3. Learned counsel for the de facto complainant has opposed the anticipatory bail application and has shown an photograph regarding injury marks on the neck of the complainant.
4. Perusal of the record reveals that the complainant has stated that few days after her marriage she was subjected to torture physically and mentally and the dowry was demanded. The complainant has also alleged that on 13th October, 2023, she was again assaulted. However, the present FIR was lodged on 8th April, 2025. Admittedly, there is no injury report. The allegations are omnibus in nature. Merely, the perusal of the photograph cannot attribute the injury to the petitioner No.1.
5. Let the de facto complainant hand over all the documents including the photograph to the Investigating Officer.
6. Let the petitioners join the investigation as and when directed by the I.O.
7. In the event of I.O. feels the necessary of effecting the arrest, both the petitioners, namely, **Sabirul Sk. @ Sekh** and **Bipul Biswas** may be admitted to anticipatory bail on furnishing personal bond of Rs.10,000/- (Rupees Ten Thousand Only) with a surety of like amount subject to the satisfaction of the Investigating Officer and also subject to the conditions that they shall not threaten, intimidate or tamper with the prosecution witnesses in any manner and they shall cooperate with the investigation.
8. Prayer for anticipatory bail is allowed.
9. Hence, CRM (A) 2124 of 2025 stands disposed of accordingly.

10. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Dinesh Kumar Sharma, J.)