

AD 20 & 23
July 15, 2025
Ct. 28
SG

CRM(A) 2198 of 2025
with
CRM(A) 2201 of 2025

Applications for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kumarganj P.S. Case No.149 of 2025 dated 25.04.2025 under Sections 115(2)/117(2)/329(2)/351(3)/62/64 of the BNS, 2023.

And

In the matter of:

XXXX

... petitioners

Mr. Biswajit Manna

... for the petitioners

Mr. Prasun Kumar Dutta, ld. APP

Mr. Manoranjan Mahata

*... for the State in
CRM(A) 2198 of 2025*

Mr. Pravas Bhattacharya

Mr. Raju Mondal

*... for the State in
CRM(A) 2201 of 2025*

The applications for anticipatory bail pertain to the same accused. Both matters are taken up together for hearing.

Learned counsel for the petitioners submits that the petitioners are the relatives of the husband of the victim in both the matters. After the couple got married, they were not allowed to enter the house at the instance of the first wife and the other relatives. It was alleged that the accused thereafter came in a group, assaulted the victim and there was an attempt to sexually assault her.

Learned counsel for the State relies on the statements of independent local witnesses as also the statement of the victim recorded before the learned Magistrate.

Considering the materials available in the case diary, the alleged role ascribed to each of the petitioners in the two applications, especially vis-à-vis the statement of the victim made before the learned Magistrate and the injury report, while I am inclined to grant anticipatory bail to the petitioner in CRM(A) 2198 of 2025, the application for anticipatory bail of the petitioners in CRM(A) 2201 of 2025 is rejected.

In the event of arrest, the petitioner in CRM(A) 2198 of 2025 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 cooperate with the investigation, shall meet the investigating officer once a fortnight till submission of report in final form and shall not threaten or intimidate witnesses.

The applications for anticipatory bail are, thus, disposed of.

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

(Jay Sengupta, J.)