

AD 49
August 20, 2025
Ct. 28
SG

CRM(A) 2339 of 2025

Allowed

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Chapra P.S. Case No.288 of 2025 dated 10.03.2025 under Sections 108/351(3)/3(5) of the BNS, 2023.

And

In the matter of:

Abdur Rahaman Sk @ Dalil Sk

... petitioner

Mr. Atis Kumar Biswas

Ms. Jyoti Agarwal

... for the petitioner

Mr. Arindam Sen

Mr. Koustav Banerjee

... for the State

Mr. Dipanjan Chatterjee

Ms. Rimpa Adhikari

Ms. Kakan Das

... for the de facto complainant

Learned counsel for the petitioner submits that the petitioner is absolutely innocent. It has only been alleged by the victim deceased in an alleged suicide note that he had taken loans from the petitioner and others. There is no allegation that the petitioner forced him for executing some documents or the like. The de facto complainant kept the body of her husband in the house by postponing burial and went to have a property registered in her name by threatening the said transferee that he would be implicated falsely in this case regarding the death of the de facto complainant's husband.

Learned counsel for the de facto complainant strongly opposes the prayer for anticipatory bail and submits that the petitioner was very much responsible for the death of the victim. It was only due to a village arrangement which was arrived at at the behest of the

elderly that the petitioner had to go for registration of a conveyance on the fateful day.

Learned counsel for the State opposes the prayer for anticipatory bail and relies on the case diary, especially on the suicide note of the victim.

Considering the materials available in the case diary, including the alleged role ascribed to the present petitioner and the fact that the charge-sheet has been submitted, I do not find that custodial interrogation of the petitioner is required in this case and 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 condition that the petitioner 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.)