

08.08.2025
Court No.28
Item No.49
tbsr
Allowed

CRM (A) 2533 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Suri** P.S. Case No.**251 of 2025** dated **06.05.2025** under Sections **85/117(2)/89/109/351(2)/3(5)** of the Bharatiya Nyaya Sanhita, 2023 and Sections 3/4 of the D.P. Act.

And

In the matter of: **Md. Hamidullah @ Md. Hamdiullah**

....Petitioner.

Md. Ashraf Ali

...for the petitioner.

Mr. Debabrata Chatterjee

Ms. Sonali Bhar

....for the State.

Heard the learned counsels for the parties.

Perused the case diary.

It appears that the abortion in question took place in 2023. Admittedly, the victim went away from the matrimonial home on 28th July, 2023. Yet, the FIR was lodged in 2025.

Considering the above and the materials available in the case diary, I do not think 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/- 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 further condition that the petitioner shall co-operate with investigation, shall meet the I.O. once

a fortnight till submission of report in final form and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)