

13.08.2025
Court No.28
Item No. 68
tbsr
Allowed

CRM (A) 2595 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Burdwan** P.S. Case No.**690 of 2025** dated **18.06.2025** under Sections **85/316(2)/89/109(1)** read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Asit Barman

....Petitioner.

Mr. Uday Sankar Chattopadhyay
Ms. Sadia Parveen
Ms. Bidisha Chakraborty
...for the petitioner

Mr. Sandip Chakraborty
Mr. Sachit Talukdar
....for the State

Learned counsel appearing on behalf of the petitioner submits as follows. In this case although Section 85 of the BNS has been imputed along with other provisions, the husband of the de-facto complainant is actually a witness. The petitioner is the brother-in-law who is in no way connected with the offences alleged.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statement of the informant's husband and other statements as also on an injury report which, however, does not show inflicting of any grievous injury. He submits that the medical document does not support the FIR that the informant suffered miscarriage as she was kicked at her stomach.

Considering 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 meet the I.O. once a week 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.)