

02.09.2025
Sl. No.20
NB

C.R.M. (A) 2618 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Bagnan PS Case No.232 of 2025 dated 17.04.2025 under Sections 498A/495/34 of the Indian Penal Code with Sections 85/82(2)/316(2)/351(2)/3(5) of BNS, 2023.

And

In the matter of: Saiyad Abdul Sattar @ Sayed Abdus Sattar
... petitioner

Sk. Salim
...for the petitioner.

Ms. Sujata Das,
Md. Ejaj Akhtar.
...for the State.

Ms. Juin Dutta Chakraborty,
Mr. Bidan Modak.
...for the de facto complainant.

Learned counsel appearing on behalf of the petitioner submits as follows. There is a delay of about nine months in registering the FIR. The petitioner has been falsely implicated in this case.

Learned counsel appearing on behalf of the de facto complainant submits that even in the presence of police officers, when they had gone to seize certain documents from the in law's place, the petitioner and the other in laws assaulted the de facto complainant and the family members. A GD Entry has been lodged in this regard.

Learned counsel appearing on behalf of the State relies on the report and the case diary and submits as follows. No streedhan articles could be recovered. There is no statement of any neighbour in the case diary.

On 14.08.2025, the police was directed to file a report. Yet, they went for searching the place of the accused only on 31.08.2025.

What is even more surprising is that there is no statement of any neighbour recorded by the Investigating Officer.

Considering the materials available in the case dairy, I am inclined to grant anticipatory bail to the present petitioner.

Accordingly, 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 Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioner shall cooperate with the investigation and shall meet the Investigating Officer once a week till submission of report in final form and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever.

However, considering the manner in which the investigation was done, the investigation of the case be transferred to another Officer of the same Police Station to be engaged by the Inspector-in-Charge of the said police station.

The application for anticipatory bail being **C.R.M. (A) 2618 of 2025** is, thus, allowed.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)

