

D/L.11
14-08-2025
Ct. No.446
Saikat
(Allowed)

CRM (A)/2721/2025

**XXXX
VS.
STATE OF WEST BENGAL AND ANR.**

In Re: Application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita filed in connection with Malda P.S. Case No.182/2025 dated 19.03.2025 under Sections 85/64(1)/351(2)/3(5) of Bharatiya Nyaya Sanhita, 2023.

Mr. Mrityunjoy Chatterjee, Adv.
Ms. Suchismita Chakraborty, Adv.
Mr. Arindam Poali, Adv.

...For the Petitioner

Mr. Arijit Ganguly, Adv.
Ms. Mamata Jana, Adv.

...For the State

Mr. Amit Halder, Adv.
Mr. Amit Roy, Adv.

...For the *De Facto*

1. Heard the submissions of the learned advocates appearing for all the parties.
2. It appears from the Case Diary that the charge-sheet has already been submitted against the accused persons and the principal accused person, father-in-law of the *de facto* complainant, is in custody. On careful perusal of materials in the Case Diary, the statement of the victim lady recorded under section 183 of BNSS, regarding the nature of allegation and the role attributed by the present petitioner, it appears primarily certain incriminating materials is there but considering that the charge-sheet has

already been submitted, no fruitful purpose would be served if the petitioner is taken behind the bar.

3. In view of the above, this Court is inclined to allow the prayer for pre-arrest bail of the petitioner subject to fulfillment of certain conditions.
4. Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs. 20,000/- with two sureties of like amount and one must be local to the satisfaction of the arresting officer subject to the condition laid down in section 482(2) of the BNSS, 2023 and the petitioner is directed not to induce threat or intimidate to the *de facto* or any of the witnesses or not to make any attempt to tamper with the witnesses and on further condition that the petitioner shall surrender before the jurisdictional magistrate within four weeks from date and pray for bail and shall appear before the court as and when called for. In case of default of these conditions, the prosecution shall be at liberty to pray for cancellation of the anticipatory bail of the petitioner.
5. The application for anticipatory bail is, thus, disposed of.
6. Case Diary is, however, returned.
7. Urgent Photostat certified copy of this order, if applied for, be given to the parties, on priority basis, upon compliance of all necessary formalities.

[Chaitali Chatterjee (Das), J.]