

15.09.2025
Court No.28
Item No.28
tbsr
Allowed

CRM (A) 2900 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Tehatta** P.S. Case No.**511 of 2025** dated **06.07.2025** under Sections **85/117(2)/118(2)/109/74/3(5)** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Mannan Dafadar & Anr.

....Petitioners.

Mr. Asraf Mandal
...for the petitioners.

Mr. Iqbal Kabir
Ms. Chandreyi Dutta
.....for the State.

Md. Bani Israil
Mr. Aranya Basu
Mr. Syed Md. Sayud
....for the de-facto complainant.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the brother-in-law and the husband of a sister-in-law of the alleged victim. Marriage between the couple took place about 15 years ago. The husband stays abroad. In fact, the wife had given talak to her husband on 10.03.2024 although the FIR was lodged on 06.07.2025.

Learned counsel appearing on behalf of the de-facto complainant opposes the prayer for anticipatory bail.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail and relies on the statements of witnesses as also the injury report.

Considering the nature of allegations and the materials contained in the case diary although I am inclined to grant anticipatory bail to the petitioners, their movement need to be restricted for a limited period.

In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each 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 petitioners shall cooperate with investigation, shall meet the I.O. once a week till submission of report in final form, shall not threaten or intimidate witnesses and shall stay beyond the territorial jurisdiction of Tehatta Police Station for a period of six months except for meeting the Investigating Officer or attending the jurisdictional Court.

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.)