

07.11.2025
Court No.28
Item No.35
tbsr
Partly Allowed

CRM (A) 3121 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Mothabari** P.S. Case No.**474 of 2025** dated **11.06.2025** under Sections **85/117(2)/109/351(2)** of the Bharatiya Nyaya Sanhita, 2023 read with Section 4 of Dowry Prohibition Act.

And

In the matter of: Md. Enamul Khan & Anr.

....Petitioners.

Mr. Debabrata Mondal

Ms. Sonali Das

Ms. Sreetama Neogi

Ms. Riya Ballav

...for the petitioners.

Ms. Sayanti Santra

Ms. Ayana De

.....for the State.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners have been falsely implicated in this case. The petitioners are the father in law and the husband of the alleged victim. The marriage between the couple took place about seven years ago.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. She refers to the injury report of the victim wife and other medical papers. She also refers to statements of local independent eye-witnesses.

According to the statement of an eye-witness the petitioner husband tried to murder the victims by trying to drive his car over them.

Considering the incriminating materials available in the case diary as against the petitioner no. 2 and the alleged roles ascribed to each of the petitioners, while I am inclined to grant anticipatory bail to the petitioner no. 1, the application for anticipatory bail of the petitioner no. 2 is rejected.

In the event of arrest, the petitioner no. 1 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 No. 1 shall cooperate with investigation, shall not threaten or intimidate witnesses and shall meet the Investigating Officer once a fortnight till submission of report in final form.

The application for anticipatory bail is, thus, disposed of.

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

(Jay Sengupta, J.)