

24.11.2025
Sl. No.17
Ct. 28
NB

CRM (A) 3356 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 Basirhat PS Case No.639/2025 dated 22.07.2025 under Sections 85/3(5) of Bharatiya Nyaya Sanhita and $\frac{3}{4}$ of Dowry Prohibition Act.

And

In the matter of: Md. Amir Sohail Mondal ... petitioner

Mr. Biplab Roy,
Ms. Rashmi Roy (Verma),
Ms. Basundhara Roy.
...for the petitioner.

Ms. Sayanti Santra,
Ms. Poulami Bose.
...for the State.

Mr. S. S. Saha,
Mr. Akash Sarkar.
...for the de facto complainant.

Heard the learned counsels for the parties.

Perused the case diary.

While the petitioner claims that the lady obtained Talak e Tawfej and presented a document before the jurisdictional Court, the wife alleges that the same was obtained from her by his learned counsel without properly informing her about the facts and consequences.

It appears that there is an application for restitution of conjugal rights pending at the behest of the wife.

Considering the above and 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 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 not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and the petitioner shall meet the Investigating Officer once a week till submission of report in final form.

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

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.)