

14.11.2025

Court No.35.

D/L. 30.

Kausik

(Allowed)

CRM (M) 1954 of 2025

In Re: An Application for bail under section 439 (1)(b) of the Code of Criminal Procedure 1973/Section 483 (1) (b) of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Baruipur PS Case No. 1629 of 2025 under Sections 85/115(2)/89/316(2)/3(5) of BNS, 2023.

And

In the matter of : Koustav Chakraborty @ Kaustuv Chakraborty

.....Petitioner.

Mr. Sandipan Ganguly, Sr. Adv.

Mr. Prasanta Kumar Das

Ms. Aiswarya Priya Raha

....for the Petitioner.

Mr. Saptarshi Roy

Mr. Amar Kumar Mondal

Mr. Rajesh Agarwal

....for the defacto-complainant.

Ms. Rita Datta

....for the State.

Learned advocate appearing for the petitioner submits that the petitioner was in custody for 70 days and the genesis of the case arose out of a matrimonial dispute. It has been further pointed out that the case was initiated as a counter-blast of the matrimonial suit. On any condition the petitioner being the husband has prayed for bail.

Learned advocate for the State has produced the case diary and drawn the attention of the Court to the documents which includes both statement of witnesses under Section 161 of the Code of Criminal Procedure as well as the medical

documents. Attention of the Court was drawn to the signature of the husband which is on July 2025 and at a time after the matrimonial suit was filed.

Learned advocate for the defacto-complainant on the other hand submits that a condition precedent was laid down by the husband that only if abortion is done the husband would be ready and willing to continue with the matrimonial tie.

I have taken into account the materials appearing in the case diary and the period of detention of the petitioner for about 70 days. Having regard to the same, I am of the view that further detention of the petitioner is unwarranted.

As such the prayer for bail of the petitioner is allowed.

Petitioner, namely **Koustav Chakraborty @ Kaustuv Chakraborty**, shall furnish bond of Rs. 20,000/- (Twenty Thousand Only) with two sureties of Rs. 10,000/- (Rupees Ten Thousand Only) each. One of whom must be local to the satisfaction of the learned ACJM, Baruipur.

If on bail the petitioner shall meet with the Investigating Officer of the case once a week till the charge sheet is submitted before the jurisdictional Court. If the learned Magistrate is of the opinion that further conditions are required, the learned Magistrate before releasing the petitioner would be at liberty to impose such conditions.

With the aforesaid observations CRM (M) 1954 of 2025 is allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)