

05.12.2025
Sl. No.08
Ct. 28
NB

C.R.M. (A) 3503 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 Palashipara PS Case No.354/2025 dated 26.07.2025 under Sections 85/115(2)/117(2)/109/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of:- Rafia Bibi @ Rafia Sk.petitioner

Mr. Soumyajit Das Mahapatra,
Mr. Abdul Aziz Mondal.
....for the petitioner.

Ms. Zareen Khan,
Mr. Subhajit Chowdhury.
...for the State.

Learned counsel appearing on behalf of the petitioner submits that a compromise and settlement has been arrived at between the private parties. On the basis of such settlement, an affidavit was filed and the husband was granted bail.

Learned counsel appearing on behalf of the State strongly opposes the prayer for anticipatory bail. He relies on subsequent statements of the victim and her children recorded before the learned Magistrate. All these statements clearly implicate the present petitioner. It is categorically stated that the petitioner was the one who had caused burn injuries on the alleged victim. The victim was tortured and thereafter driven out.

It appears that there is no mention of any compromise or settlement whatsoever in the above referred statements. One wonders, on the basis of what kind of settlement or affidavit was bail granted to the husband.

Considering the incriminating materials available in the case diary and the alleged role ascribed to the present petitioner, I do not consider this to be a fit case for granting anticipatory bail to the present petitioner.

The application for anticipatory bail being **CRM (A) 3503 of 2025** is, thus, rejected.

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.)