

03.12.2025
Court No.28
Item No.30
AB

CRM (A) 3792 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Ghola PS Case No. **140 of 2025** dated **03.04.2025** under Sections **85/115(2)/351(2)/316(2)/3(5)** of the BNS, 2023

And

In the matter of: **Kunal Chitrakar**

....Applicant/Petitioner.

Mr. Fazlur Rahman
Ms. Dona Sanyal Nath
Md. Babul Hussain
Mr. Rahit Rahman
Ms. Sadia Zareen
Ms. Rekha Das

...for the petitioner

Mr. S. S. Imam
Mr. S. Deb Roy

...for the State

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner was in a relationship with the alleged victim. They lived together for sometime after which their marriage was registered. After lodging the F.I.R. the wife has now filed a divorce suit.

Learned counsel for the State opposes the prayer for anticipatory bail. He relies on the statements of witnesses. However, he submits that no injury report was present in the case diary.

Considering the materials available in the case diary, it does not appear that custodial interrogation of the petitioner is required in this case and I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the application for anticipatory bail of the petitioner is allowed.

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 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 conditions that the petitioner shall not threaten or intimidate witnesses and shall co-operate with the investigation. The petitioner shall meet the I.O. once a fortnight till submission of report in final form.

The petitioner shall surrender before the learned jurisdictional Court within eight weeks from this date and pray for bail.

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

(Jay Sengupta, J.)