

17.12.2025
Court No.28
Item No.41
tbsr
Allowed

CRM (A) 3901 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Bagdah** P.S. Case No.**927 of 2024** dated **03.10.2024** under Sections **85/316(2)/117(2)/89/3(5)** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: **Kartick Deb**

....Petitioner.

Mr. Debasis Kar
Mr. A. T. Bhadra
Ms. Paramita Mukherjee
Ms. Suhana Parveen
...for the petitioner.

Mr. Arijit Ganguly
Mr. Rajesh Jana
....for the State.

Affidavit of service filed on behalf of the petitioner is taken on record.

Despite service, no one appears on behalf of the de facto complainant.

Learned counsel appearing on behalf of the petitioner submits as follows. The marriage between the couple took place in 2023. The petitioner is the husband. The other co-accused was granted anticipatory bail.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the case diary including the statements of the victim recorded before the Investigating Officer. From the statements of the victim, it appears that she ate some food kept in the freezer at the matrimonial home. Thereafter, she fell ill,

was hospitalized, and her pregnancy was terminated. Before the treating doctor, the history was recorded that the victim had taken medicine before her husband entered the house.

Considering the above and the other incriminating 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 petitioner.

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 condition that the petitioner shall cooperate with investigation, shall not threaten or intimidate witnesses and shall meet the I.O. once a fortnight till submission of report in final form.

The application for anticipatory bail is, thus, allowed.

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

(Jay Sengupta, J.)