

17.12.2025
Court No.28
Item No. 51
tbsr
Reject

CRM (A) 3935 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Kharagpur (Local)** P.S. Case No. **930 of 2025** dated **16.10.2025** under Sections **85/115(2)/117(2)/75(2)/79/62(2)(f)/351(3)/3(5)** of the BNS, 2023 read with Sections 3/4 of the Dowry Prohibition Act, 1961.

And

In the matter of : XYZ

....Petitioner.

Mr. Amit Ranjan Pati
Ms. Swastika Chowdhury
Ms. Khadijatul Kubra
Mr. Anish Goswami
....for the petitioner.

Mr. Pravas Bhattacharya
Mr. Akash Ganguly
.....for the State.

Mr. Soumyajit Das Mahapatra
Ms. Madhurai Sinha
Ms. Upasana Banerjee
....for the de facto complainant

Learned counsel for the petitioner submits that the petitioner is the brother-in-law of the alleged survivor. Earlier, a case was initiated, inter alia, on the allegations of torture and dowry demand, wherein the husband of the alleged survivor and others were made accused. In fact, the petitioner was constrained to file a case against the survivor thereafter. The accused in the earlier case were granted anticipatory bail. As a counter blast, the present FIR was maliciously instituted.

Learned counsel for the de facto complainant strongly opposes the prayer for anticipatory bail.

Learned counsel for the State opposes the prayer for anticipatory bail and relies on the statements of the victim, the husband, the survivor and the injury report.

It does not appear that the husband supported the prosecution case. According to them, the survivor was staying at her paternal home.

However, as per the injury report, there are scratch marks on certain portions of the body, including scratch marks in the left inner thigh and certain private parts of the body. According to the subsequent medical opinion, the injuries mentioned on the private parts and the scratch marks could have been caused by nails or a light weight object with a sharp pointed end.

Considering the above, the other incriminating materials available in the case diary and the alleged roles ascribed to the present petitioner who is the principal accused, I do not consider this to be a fit case for granting anticipatory bail.

Accordingly, the application for anticipatory bail is rejected.

The presence of the Investigating Officer is noted and is dispensed with.

(Jay Sengupta, J.)