

23.12.2025
Court No.28
Item No.17
tbsr
Allowed

CRM (A) 3962 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 / Section 438 of the Code of Criminal Procedure in connection with **Pandua** P.S. case No.**525 of 2022** dated **11.11.2022** under Sections **498A/406/313/307/420/34** of the Indian Penal Code.

And

In the matter of: Shaikh Abdul Hosen

....Petitioner.

Mr. Manabendra Nath Bandopadhyay
Mr. Goutam Malik
...for the petitioner

Ms. Manisha Sharma
Ms. Baishakhi Chatterjee
....for the State

Learned counsel appearing on behalf of the petitioner submits as follows. At the relevant time, the petitioner was in Gujarat. The other co-accused are on bail.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. She relies on the statements of the victim and her relatives, as also on the medical report.

It appears that although the abortion took place on 23.04.2022, the FIR was lodged on 11.11.2022.

Considering the materials available in the case diary and the delay in lodging the FIR, 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 meet the I.O. once a week till submission of report in final form and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)