

AD 33
December 12, 2025
Ct. 28
SG

Allowed

CRM(A) 3966 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Nowda P.S. Case No.402 of 2025 dated 16.09.2025 under Sections 85/123/351(2)/3(5) of the BNS, 2023.

And

In the matter of:

Khabirul Sk.

... petitioner

Ms. Sonali Das

... for the petitioner

Mr. Shiladitya Banerjee

Mr. Abhinaba Mukherjee

... for the State

Learned counsel for the petitioner submits that the marriage between the couple took place 17 years ago. The alleged victim was suffering from anxiety disorders and was medically treated for the same. There is a delay in lodging of the FIR. Admittedly, the alleged victim consumed toilet cleaner and was thereafter admitted in a hospital.

Learned counsel for the State opposes the prayer for anticipatory bail and refers to the statements of the victim as well as the other witnesses including the children and to the injury report. It appears that a quarrel took place immediately before the incident.

Considering the materials available in the case diary and the fact that charge-sheet has been submitted, 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/- (rupees ten thousand) 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 the further conditions that the petitioner shall surrender before the jurisdictional court and pray for bail within four weeks from this date, shall attend the jurisdictional court regularly and shall not threaten or intimidate witnesses.

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.)