

12.06.2025
Item no. 23.
Court No.2.
Rakib
(Allowed)

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction**

CRM (A) 342 of 2025

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973/Under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Samuktala Police Station Case No. 82 of 2025 Dated 12.04.2025 under Sections 109/85 of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of : Arjun Debnath.

.....Petitioner.

Mr. Arijit Ghosh,
Ms. Angana Rakshit.

.....for the Petitioner.

Mr. Tapan Bhattacharjee,
Mr. Dhiman Sil.

.....for the State.

Learned advocate appearing for the petitioner submits that the petitioner was married to the de-fact complainant nine years prior to the date of the incident. The accusations which have been made in respect of de-facto complainant being set on fire and sustaining burn injuries are absolutely wild allegations. Some of the clothes were set on fire which has been seized but no injuries are reflected so far as the person of the de-facto complainant is concerned.

Learned advocate appearing for the State has produced the Case Diary.

I have considered the materials available and it has been candidly submitted on behalf of the State that there are no injury reports which reflect that the de-facto complainant has sustained burn injuries. Consequently, I am of the view that as the marriage took place nine years ago and the petitioner is deeply rooted in the society, custodial detention of the petitioner may not be warranted in the facts and circumstances of the case.

Accordingly, I direct that in the event of arrest, the petitioner be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local to the satisfaction of the investigating officer/arresting officer of the case and also subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and/or under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

If on bail the petitioner shall meet with the investigating officer once in a fortnight till the charge-sheet is submitted or modified by the jurisdictional Court.

Accordingly CRM (A) 342 of 2025 is allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)