

19.11.2025
Item no.5
Court No.3
ss
(Allowed)

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (A) 579 of 2025

In Re:- An application for anticipatory bail under Section 482 of BNSS, 2023 in connection with Ghoksadanga P.S. Case No.167 of 2024 dated 12.04.2024 corresponding to G.R. Case No.502 of 2024 under Section 498A/307/325 of the Indian Penal Code, 1860 now pending before the court of the learned Chief Judicial Magistrate at Jalpaiguri.

In the matter of : **Asraful Alam**

... Petitioner.

Mr. Shubhankar Dutta
Mr. Somdutta Patra

...for the Petitioner

Mr. Aditi Shankar Chakraborty, Ld. APP
Mr. Subhasish Misra

.....for the State.

1. Learned Advocate for the petitioner submits that the victim fled away from the matrimonial home and with the aid and assistance of local people she was restored to the matrimonial home. Subsequent thereto this case has been lodged by the mother of the victim lady on false pretext. There are no such specific allegations against this petitioner, who happens to be the husband of the victim lady. Moreover, the victim did not sustain any serious injury. Upon completion of investigation, charge-sheet has already submitted. He seeks for grant of anticipatory bail to the petitioner.

2. Learned Advocate for the State, opposing such prayer, submits that the victim was tortured in the matrimonial home since marriage. The medical report is supportive of such fact. He seeks for dismissal of the application for grant of anticipatory bail.
3. Perused the case diary and the materials on record.
4. From the statement of the victim lady recorded under Section 161 Cr.P.C. it is found that the allegations are omnibus. Save and except abrasion in the back of neck there are no such notable injuries. Considering the above, I am inclined to allow the prayer of the petitioner for anticipatory bail.
5. Accordingly, in the event of arrest the petitioner namely **Asraful Alam** shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of BNSS and on further condition that the petitioner shall appear on every date before the jurisdictional court on and from the date fixed for appearance of the accused and in default the jurisdictional Court shall pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

6. This application for anticipatory bail is allowed.
7. ***CRM (A) 579 of 2025*** is, thus, disposed of.

(Bivas Pattanayak, J.)