

25.11.2025
Item no.23(DL)
Court No.3
srn
(Allowed)

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

C.R.M. (A) 787 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Dinhata Woman P.S. Case No.43 of 2025 dated 03.05.2025 under Sections 85/117(2)/109(1)/3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 3/4 of the Dowry Prohibition Act, 1961.

In the matter of : **Rahim Badsha & Anr.**

... Petitioners.

Mr. Hillol Saha Podder

...for the Petitioners.

Mr. Kallol Acharjee,
Mr. Ujjwal Luksom,
Mr. Chattu Roy

...for the State.

1. Learned Advocate for the petitioners submit that the FIR is the result of some family disputes. The petitioner No.1 is the husband and the petitioner No.2 is the brother-in-law of the victim. There are no such specific allegations against these petitioners. The complainant did not sustain any such injuries. Upon completion of investigation, charge sheet has already been submitted. He seeks for grant of anticipatory bail in favour of the petitioners.
2. Opposing such prayer for anticipatory bail, learned Advocate for the State submits that there are specific

allegations against these petitioners, who happens to be the husband and the brother-in-law respectively. He seeks for dismissal of the prayer for anticipatory bail.

3. Perused the case diary and the materials on record.
4. The allegations as revealed from the statement of the witnesses are general in nature. The injury report shows that there are no visible external injuries and the victim at the time of incident was pregnant (8 months). Upon completion of investigation, charge sheet has already been submitted. Considering the above, I am inclined to extend the benefit of anticipatory bail in favour of the petitioners.
5. Accordingly, in the event of arrest the petitioner No.1, namely **Rahim Badsha** and the petitioner No.2, namely **Rakshak Miah @ Rased Miah** shall be released on bail upon furnishing a bond of Rs.10,000/- each 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 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and shall attend the Court on the dates fixed for appearance and hearing.
6. In case the petitioners fail to adhere to any of the conditions mentioned in Section 438(2) of the Code/ Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023, the learned Court below shall be entitled to cancel

the anticipatory bail without further reference to this Court.

7. This application for anticipatory bail is, thus, allowed.
8. ***CRM (A) 787 of 2025*** stands disposed of.

(Bivas Pattanayak, J.)