

25.11.2025  
Item no. 31 (DL)  
Court No. 3  
AN  
(Allowed)

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

**C.R.M. (A) 795 of 2025**

In Re:- An application for anticipatory bail under Section 482 of BNSS, 2023 in connection with **Phansidewa P.S. Case No. 246 of 2025 dated 06.06.2025** under Sections 85/109/3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 3/4 of the Dowry Prohibition Act, 1961.

In the matter of : **Mohd. Shamshad Alam @ Md. Shamshad & ors.**  
... Petitioner.

Mr. Hillol Saha Podder  
...for the Petitioner.

Mr. Ujjwal Luksom  
Mr. Sagnik Sankar Sikdar  
...for the State.

Ms. Mousumi Das  
...for *de facto* complainant

1. Learned advocate for the petitioners submit that petitioner no. 1 is the husband and petitioner nos. 2 and 3 are the parents-in-law. There are no such specific allegations against the petitioner. The matter is amicably settled between the parties. The victim is presently residing alongwith the petitioners in the matrimonial home. Upon completion of investigation, charge sheet has already been submitted. He seeks for grant of anticipatory bail in favour of the petitioner.

2. Opposing such prayer for anticipatory bail, learned advocate for the State submits that there are allegations against the petitioner of assaulting and torturing the victim lady in her matrimonial home. He seeks for dismissal of the prayer for grant of anticipatory bail application.
3. Learned advocate for the *de facto* complainant concedes that presently the victim lady is residing in her matrimonial home alongwith the petitioners and she leaves the matter to the discretion of the Court.
4. Perused the case diary and the materials on record.
5. It is found from the statement of the witnesses recorded under Section 161 of the Code of Criminal Procedure that the allegations against the petitioners are general in nature. There are no such injury reports. Upon completion of investigation, charge sheet has been submitted. Considering the above, I am inclined to extend the benefit of anticipatory bail in favour of the petitioners.
6. Accordingly, in the event of arrest, the petitioners, namely **Mohd. Shamshad Alam @ Md. Shamshad; Md. Iliyas @ Iliyas and Shakina Khatun** 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 shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 / 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023, until further orders and on further condition that

the petitioners shall appear before the learned Trial Court on each and every date fixed.

7. In case the petitioner fails 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.
8. This application for anticipatory bail is, thus, allowed.
9. **CRM (A) 795 of 2025** stands disposed of.
10. Urgent Photostat certified copy of this order, if applied for, be made available to the parties upon compliance of all requisite formalities.

**(Bivas Pattanayak, J.)**