

23/02/2026
D/L – 29
Court No.28
S. Kundu
Allowed

C.R.M.(A) 371 of 2026

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Dantan P.S case no. 321 of 2025 dated 21/12/2025 under sections 85/115(2)/117(2)/64(2)(f)/62/109/3(5) of the BNS and Sections 3/4 of the Dowry Prohibition Act.

In the matter of: XXX & Anr.

...Petitioners.

Mr. Ashok Das
Ms. Ayana Dey
Mr. Sourav Mukherjee
Ms. Hasi Jana

...for the petitioners.

Ms. Sukanya Bhattacharyya
Ms. Manasi Roy

...for the State.

1. Report filed on behalf of the State is taken on record.
2. Despite service no one appears on behalf of the alleged victim.
3. Learned counsel appearing for the petitioners submits as follows. The petitioners are the husband and the father-in-law of the alleged victim. The marriage took place seven months ago. Although it is alleged that the incident of rape happened on 2/9/2025, the FIR was lodged much later on 21/12/2025. After the said date, on 2/9/2025 the husband and wife had gone together to Digha. In fact, there was a maintenance case filed by the lady in November, 2025 before lodging the FIR.
4. Learned counsel appearing for the State opposes the prayer for anticipatory bail. She relies on the statements

of the victim and other witnesses. However, the lady refused to undergo medical examination.

5. Considering the above, the other materials available in the case diary, the fact that the FIR was registered after a delay if the alleged date of incident is taken into account, the fact that a maintenance case had been filed in between and the fact that alleged victim had refused to undergo medical examination, I am inclined to grant anticipatory bail to the petitioners.
6. In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each 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 further conditions that the petitioners shall cooperate with the investigation and shall not threaten or intimidate the witnesses. The petitioners shall meet the I.O once a fortnight till submission of report in final form.
7. Accordingly, the application for anticipatory bail is allowed.
8. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)