

31.03.2026
Court No.28
Item No.53
tbsr
Reject

CRM (A) 535 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Kaliachak** P.S. Case No.**600 of 2025** dated **16.04.2025** under Sections **85/115(2)/117(2)/89/82(1)/3(5)** of the BNS, 2023 read with Section 3/4 of the Dowry Prohibition Act, 1961.

And

In the matter of: Abdul Karim @ Abdul Karim Sk.

....Petitioner.

Md. Wasim Akram
Ms. Sabrina Parveen

...for the petitioner

Ms. Baisali Basu
Mr. Rajesh Jana

... for the State

Learned counsel appearing on behalf of the petitioner submits as follows. The so-called marriage between the petitioner and the de facto complainant is disputed. The petitioner's signature was allegedly obtained forcibly on the marriage documents. The petitioner is already married to another person.

Learned counsel appearing on behalf of the State strongly opposes the prayer for anticipatory bail. He refers to the statements of the victim as well as local witnesses and also to the documents bearing out that the marriage between the petitioner and the de facto complainant was registered in according to law before a "Kazi".

This is an exceptional case where not only is there an allegation that the petitioner had tortured his wife, but he also disputes the marriage in question despite there being a registered document available in the case diary showing that the petitioner was married to the de facto complainant. Incidentally, the petitioner did not lodge any complaint earlier, if his signature had been obtained by force.

The statements of two local witnesses support the prosecution case. They have stated that the petitioner got married to the de facto complainant and stayed at a separate place with her for some time. The petitioner and his other relatives allegedly tortured the wife for demands of dowry. Subsequently, the petitioner deserted the wife, came back to his house and got married for the second time.

Considering the above, the other incriminating materials available in the case diary and the alleged role ascribed to the present petitioner, I do not consider this to be a fit case for granting anticipatory bail.

The application for anticipatory bail is, thus, rejected.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)