

10.03.2026
Sl. No.21
Ct. 28
NB

C.R.M (A) 550 of 2026

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kirnahar PS Case No.127/2025 dated 11.12.2025 under Sections 85/115(2)/109/3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 3/4 of Dowry Prohibition Act, 1961.

And

In the matter of: Santu Saha ... petitioner

Mr. Manas Kumar Das,
Mr. Aritra Kumar Thokdar,
Mr. Probal Das.
...for the petitioner.

Ms. Amita Gaur,
Mr. Karan Bapuli.
...for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. An FIR has been lodged after about 9 years of marriage. The petitioner is the husband of the de facto complainant. The other co-accused were granted anticipatory bail. Charge sheet has already been submitted.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statements of witnesses and the injury report, which, however, does not show infliction of any grievous injury.

It is indeed very surprising that the investigation was completed without examining the 8 year old son of the victim.

However, considering the materials available in the case diary and the fact that charge sheet has already been submitted, I am inclined to grant anticipatory bail to the present petitioner.

Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioner shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date and shall regularly attend the jurisdictional Court and shall meet the Inspector/Officer-in-Charge of Kirnahar Police Station once a week for the next three months.

The application for anticipatory bail is, thus, disposed of.

The presence of the Investigating Officer is noted and is dispensed with.

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.)