

28.04.2026
Court No.28
Item No.1
tbsr
Reject

CRM (A) 621 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Baguiati** P.S. Case No. **718 of 2025** dated **06.12.2025** under Sections **351(2)/109/85/86/3(5)** of the BNS, 2023.

And

In the matter of: Dipu Pandey

....Petitioner.

Mr. Abhra Mukherjee
Mr. Sauradeep Dutta
Mr. Arpayan Mukherjee
Mr. Himadree Ghosh
...for the petitioner.

Mr. Anupam Das Adhikari
Ms. Sonali Bhar
.....for the State.

Mr. Susnigdho Bhattacharyya
Mr. Kanishk Sinha
Ms. Lipika Das
Mr. Dipankar Roy
Ms. Sweta Sharma
....for the de facto complainant.

Report filed on behalf of the State is taken on record.

The report contains the statement of one of the two children. According to the learned counsel for the State, the statement of other child could not be recorded.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the husband of the de facto complainant. The FIR was lodged 10 years after the marriage. During pendency of this application, the de facto complainant filed a matrimonial suit praying for divorce. The main allegations are against the sister-in-law, who was granted anticipatory bail.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail. He submits that on 17th April, 2026 the husband came and assaulted the victim. A further complaint has been made in this regard.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He refers to the statements of witnesses including of neighbours supporting the prosecution case. He refers to the subsequent statement of one of the two children of the couple recorded before the learned Magistrate. According to such statement of the 10 year old girl, the petitioner and her aunt often used to beat up his mother. The injury report shows injuries inflicted on body of the victim, allegedly with hand and belt.

Considering the above and the other incriminating materials available in the case diary, 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.)