

AD 62
April 8, 2026
Ct. 28
SG

Allowed

CRM(A) 731 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Ratua P.S. Case No.864 of 2025 dated 21.11.2025 under Sections 85/109/89/3(5) of the BNS, 2023.

And

In the matter of: Rafikul Alam @ Rafikul

... *petitioner*

Ms. Sujata Das

... for the petitioner

Ms. Zareen Khan

Ms. Afreen Begum

... for the State

Learned counsel for the petitioner submits that the petitioner is the husband of the alleged victim. The marriage had taken place in 2023. There was a miscarriage suffered by the alleged victim in the month of June, 2025. Thereafter, she developed an illicit relationship with a cousin brother of the husband. A salish was held for 'talak.' Then, the FIR was lodged in the month of November, 2025. The parents were granted anticipatory bail by the learned Sessions Court.

Learned counsel for the State opposes the prayer for anticipatory bail, relies on the statements of the victim and the other witnesses and the medical papers and submits that from the letter of the manager of the nursing home, it appears that the patient did not give history of any physical assault at the time of medical consultation in respect of

miscarriage. No significant external injury was seen at the time of consultation either.

Considering the above and the other materials available in the case diary, I do not think that custodial interrogation of the petitioner is required in this case and I am inclined to grant anticipatory bail to the petitioner.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) 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 the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and on the further conditions that the petitioner shall cooperate with the investigation, shall meet the investigating officer once a week till submission of report in final form and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)