

AD 87
May 14, 2026
Ct. 28
SG

Allowed

CRM(A) 877 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Haroa P.S. Case No.99 of 2026 dated 25.02.2026 under Sections 85/316(2)/115(2)/117(2)/109/89/3(5) of the BNS, 2023.

And

In the matter of: Mosiur Rahaman @ Chattu and others

... *petitioners*

Mr. Kalyan Kumar Bhattacharjee
Ms. Sahina Khatun

... for the petitioners

Mr. Pritam Roy

... Amicus

Learned counsel for the petitioners submits that the petitioners are the husband, the father-in-law, the mother-in-law, the brother-in-law and the sisters-in-law of the alleged victim. The incident happened within a year of marriage. There was a delay of 15 days in lodging the FIR. The main allegation is about illicit relation between the petitioner Nos.1 and 7. That apart, it is alleged that the petitioners assaulted the victim causing miscarriage.

Learned counsel for the de facto complainant opposes the prayer for anticipatory bail and submits that when the victim was in the family way, the petitioners assaulted her causing bleeding injuries. Finally, the miscarriage was caused.

Learned Amicus, assisting the State, opposes the prayer for anticipatory bail and relies on the case diary, the statements of the alleged victim and her relatives and the medical papers. The medical papers indicate incomplete abortion. There is also a document executed by the Superintendent of Basirhat District

Hospital which stated that on 27.10.2025 the victim was diagnosed with Pelvic Inflammatory disease. It was indicated that during her treatment she never complained about any physical assault.

Considering the above and the other materials available in the case diary, I am inclined to grant anticipatory bail to the petitioners.

In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) 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 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 petitioners shall cooperate with the investigation, shall not threaten or intimidate witnesses and the petitioner Nos.1 , 2 and 4 shall meet the investigating officer once a fortnight till submission of report in final form.

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.)