

AD 102
May 14, 2026
Ct. 28
SG

Allowed

CRM(A) 940 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Bowbazar P.S. Case No.196 of 2025 dated 10.11.2025 under Sections 316(2)/85/3(5) of the BNS, 2023.

And

In the matter of: Md. Khalid Basir

... *petitioner*

Mr. Dhiraj Kumar Trivedi, Sr. Adv.

Ms. Swapna Jha

Mr. K. Sarkar

Mr. B.K. Singh

Ms. D. Shaw

... for the petitioner

Mr. Krishendu Bhattacharya

Mr. Pritam Roy

... Amicus

Mr. Aniruddha Bhattacharya

... for the de facto complainant

Learned senior counsel representing the petitioner submits that the petitioner is the husband of the de facto complainant. The other co-accused, being relatives of the husband, complied with the notice issued, surrendered before the jurisdictional court and were granted bail. The marriage between the couple took place in the year 2017. For the last five years, the two were living separately as demanded by the former wife. Talak/divorce was executed between the two. The petitioner is still in a rehabilitation facility for treatment of addiction. That is why he could not comply with the notice issued.

Learned counsel for the de facto complainant vehemently opposes the prayer for anticipatory bail and submits that only a miniscule portion of the dowry given were returned.

Learned Amicus, assisting the State, opposes the prayer for anticipatory bail and relies on the statements of witnesses including that of the victim and other documents like seizure list, medical papers of the petitioner and the like. It appears that some stridhan articles like air conditioner, refrigerator, electronic fittings and other articles were recovered.

Considering the above and the other materials available in the case diary, 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 as and when required 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.)