

24.06.2026
Court No.28
Item No. 39
MD
Allowed

CRM (A) 1717 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 in connection with **Baduria** P.S. Case No.**54 of 2026** dated **03.02.2026** corresponding to G.R. Case No. 534 of 2026 under Sections 127(2)/85, 115(2), 117(2), 76/351(2), 3(5) of the Bharatiya Nyaya Sanhita (BNS), 2023.

And

In the matter of: Kutibuddin Pahar

Mr. Haradhan Mondal

.... for the petitioner

Ms. Priti Kar Bageli

....for the State

Learned counsel appearing on behalf of the petitioner submits that the petitioner is the brother in law of the alleged victim. Soon after marriage between the alleged victim and her husband she started having illicit affairs while staying at the paternal house. The mother objected. The victim left. A missing diary was lodged. A writ petition was filed thereafter. The police filed a report that the victim was actually staying in Kerala. Soon after the victim was produced before the learned Magistrate, she lodged the present F.I.R. Wanton allegations have been leveled against the family members. It is also surprising that if she was unable to bear with the torture at the matrimonial home, why would she go away to a place in Kerala and not return to her own paternal home.

Learned counsel appearing on behalf of the State relies on the case diary and opposes the prayer for anticipatory bail. She refers to the statements of witnesses and the other materials available in the case diary. Charge-sheet has been submitted.

Considering the above, the other 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 petitioner.

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 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 further condition that the petitioner shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date and regularly attend the jurisdictional Court and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

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.)