01.10.2026
Sl. No. - 67
Court No.35
Rohan
(Allowed)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION
APPELLATE SIDE

C.R.M.(A) 3176 of 2026

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Bamongola Police Station Case No. 150 of 2026 dated 14.07.2026 for the offences punishable under Sections 85/115(2)/117(2)/109(2)/91/35/1(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023 read with Sections 3/4 of the Dowry Prohibition Act, 1961.

-And-

In the matter of: Shyamal Kha @ Shyamlal Khan

...Petitioner

Mr. Kalidas Saha
Ms. Khushi Mollick

...for the Petitioner

Mr. Amit Halder
Mr. Radhey Shyam Tiwari

...for the State

1. Learned advocate appearing for the petitioner submits that there was matrimonial differences which turned into dispute and finally, information was furnished to the police authorities. Marriage was solemnized 3 years prior to the date of informing the police.

2. Learned advocate appearing for the State opposes the prayer for anticipatory bail, draws the attention to the discharge certificate. I do not find any other medical documents which would attract the provisions of Section 109 of the BNS.

3. Having considered the issues involved, stems out of marital dispute, I am inclined to extend the relief of anticipatory bail to the petitioner.

4. As such, the prayer for anticipatory bail of the petitioner, namely, **Shyamal Kha @ Shyamlal Khan** is **allowed**.

5. As such, I direct that in the event of arrest, the petitioner be released on bail by the Investigating Officer/Arresting Officer of the case on such terms and conditions as it deems fit and proper. This would be subject to the conditions under Section 438(2) of the Cr.P.C. and/or under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

6. As investigation is in progress, the petitioners shall report to the Investigating Officer within a period of 10 days and on all subsequent dates as required by the Investigating Officer till the report in final form is submitted before the Jurisdictional Court.

7. With the aforesaid observation, **C.R.M. (A) 3176 of 2026** is **disposed of**.

8. Memo of evidence submitted be kept with the record.

9. All parties shall act in terms of the server copy of the order downloaded from the official website of this Court.

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

(Tirthankar Ghosh, J.)