

09.01.2026
Court No.28
Item No.17
tbsr
Allowed

CRM (A) 4048 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Patiram** P.S. Case No. **300 of 2025** dated **08.11.2025** under Sections **329(4)/64(1)/109(1)/303(1)/351(2)** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: XXXX

Mr. Sayan Kanjilal
...for the petitioner.

Mr. Debabrata Chatterjee
Mr. Rajesh Jana
.....for the State.

Report filed on behalf of the State is taken on record.

Despite service, no one appears on behalf of the de facto complainant.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is the husband of the alleged victim. This fact has been carefully suppressed in the FIR. Earlier, the alleged survivor had started an FIR, inter alia, under Section 85 of the BNS. As the petitioner's custody could not be procured, the instant proceeding was started.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He refers to the statements of the victim before the learned Magistrate, the injury report and the other materials available in the case diary.

Considering the above and the other materials available in the case diary, while I am inclined to grant anticipatory bail to the petitioner, his movement shall remain restricted for a limited period.

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 cooperate with investigation, shall meet the I.O. once a fortnight till submission of report in final form, shall not threaten or intimidate witnesses and shall stay beyond the jurisdiction of Patiram Police Station for a period of four months except for meeting the Investigating Officer or attending the jurisdictional Court.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)