

19.01.2026
Court No.28
Item No.35
tbsr
Allowed

CRM (A) 4084 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **English Bazar** P.S. Case No. **1967 of 2025** dated **03.09.2025** under Sections **85/80** of the BNS 2023.

And

In the matter of: Anup Dutta alias Tinku

....Petitioner.

Mr. Amit Ranjan Pati
Mr. Sunayan Ghosh
Ms. Swastika Chowdhury
Ms. Khadijatul Kubra
Ms. Ilika Nag
Mr. Avijit Chatterjee
....for the petitioner

Ms. Sayanti Santra
Mr. Arup Sarkar
....for the State

Compliance report filed on behalf of the State is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The incident took place about four years after the marriage. The petitioner is the husband of the alleged victim. The minor son is staying with the husband at present. Three days prior to the date of the incident, the alleged victim made a complaint before the police against a third person. It was the said third person who had entered into a relationship with the victim and was the cause for dispute between the victim and himself.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. She relies on the statements of witnesses and the post mortem report. However, she refers to the compliance

report and submits that the GD entry being English Bazar Police Station No. 3273 dated 30.08.2025 as referred to in the application for anticipatory bail, was indeed lodged by the said victim three days before the incident.

Considering the above and the other materials available in the case diary, I do not think that custodial interrogation of the petitioner is required in this case and 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 cooperate with investigation, shall not threaten or intimidate witnesses and shall meet the I.O. 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 may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)