

AD 39
January 19, 2026
Ct. 28
SG

Allowed

CRM(A) 4115 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Arambagh P.S. Case No.435 of 2025 dated 22.08.2025 under Sections 109/3(5)/316(2)/85 of the BNS, 2023.

And

In the matter of:

Sk. Abdul Kader

... petitioner

Mr. Satarup Purakayastha

Mr. Abhishek Chakraborty

... for the petitioner

Ms. Shaila Afreen

Ms. Kanchan Roy

... for the State

Supplementary affidavit filed by the petitioner is taken on record. Copy of the same is handed over to learned counsel for the State.

Report filed by the State is also taken on record.

Learned counsel for the petitioner submits that the petitioner is a doctor by profession. He is the husband of the alleged victim. The marriage took place in the year 2022. The alleged victim was residing at her matrimonial home with her other in-laws. She went to different authorities and claimed that she was driven out and was being tortured. The alleged victim is a psychiatric patient. Reliance is placed on the medical papers. The de facto complainant deserted the petitioner. This prompted the petitioner to file an application before the learned Magistrate praying for appropriate relief.

As a counterblast, the FIR was registered. Reference is made to still images captured from the CCTV footages showing that the victim was in the matrimonial home before and after the date on which the statement was recorded before the learned Magistrate.

Learned counsel for the State relies on the case diary and the report. She submits that even before the learned Magistrate the alleged victim claimed that she had not been allowed to go inside her matrimonial home.

Considering the above, the other materials available in the case diary and the fact that the petitioner prayed for certain relief before the learned Magistrate before registration of the FIR, 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 once a week till submission of report in final form 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.)