

09.02.2026
Sl. No.12
Ct. 28
NB

C.R.M (A) 4152 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Gangarampur PS Case No.13/2025 dated 06.01.2025 under Sections 85/117(2)/109(1)/89/351(2)/3(5) of BNS, 2023.

And

In the matter of: Mithun Roy @ Mithun Rai

... petitioner

Md. Zeeshanuddin,
Mr. Mazhar Hossain Chowdhury.
...for the petitioner.

Ms. Baisali Basu,
Ms. Sreetama Das.
...for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the husband of the de facto complainant. The marriage took place in the year 2019. The petitioner has been falsely implicated in this case. As regards the charge of forcible termination of pregnancy, the same is totally false.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statements of the witnesses and the injury report. However, there is a statement of a doctor, which shows that the consent of both the husband and the wife was taken before termination of pregnancy and it was a case of ectopic pregnancy.

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.

Accordingly, 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 Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioner shall cooperate with the investigation and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and the petitioner shall meet the Investigating Officer once a fortnight till submission of report in final form.

The application for anticipatory bail is, thus, disposed of.

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.)