20.11.2026
Court No.35.
D/L.54.
Rakib
(Allowed)

CRM (A) 4044 of 2026

In Re: An Application for Anticipatory Bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Arambagh Woman Police Station case no. 39 of 2026 dated 28.05.2026 under Sections 109(1)/115(2)/118(2)/3(5)/316(2)/351(2)/352/75(2)/76/85 of the Bharatiya Nyaya Sanhita and Section 4 of the Dowry Prohibition Act, 1961.

And

In the matter of : Sk. Asgar Ali & Anr.

.....Petitioners.

Mr. Subhajit Manna
Mr. Shoumak Mondal
.....for the Petitioners.

Mr. Krishnendu Bhattacharya, Ld. APP
Ms. Tanusree Kar
.....for the State.

Learned advocate appearing for the petitioners submit that petitioners are brother-in-law who have been foisted with the present criminal case because of matrimonial dispute between the informant and their brother. The husband/brother of the brother of the petitioners in this case was arrested and subsequently released on bail.

Learned advocate appearing for the State opposes the prayer for anticipatory bail and has drawn the attention of the Court to the statement of the victim under Section 183 of the BNSS.

I have taken into account the overall materials and is of the opinion that so far as the locus of the present petitioners are concerned, their custodial detention may not be warranted. As such,

prayer for anticipatory bail of the petitioners namely, **(1) Sk. Asgar Ali and (2) Sk. Saddam Hossain @ Sk Saddam Hossen** is **allowed.**

Accordingly, in the event of arrest, the petitioners shall be released on bail to the satisfaction of the Arresting Officer on such terms and conditions as he deems fit and proper 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 Bharatiya Nagarik Suraksha Sanhita, 2023.

As the investigation of the case is still in progress, petitioners shall meet with the investigating officer of the case once in every ten days till the report the final form is submitted before the jurisdictional Court.

Accordingly, CRM (A) 4044 of 2026 is **allowed.**

The observations made above are only restricted for adjudication of the anticipatory bail application and should not be considered a final opinion on the merits of the case.

Memo of evidence submitted by the State be kept with the record.

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

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

(Tirthankar Ghosh, J.)