

20.02.2026
Court No.28
Item No.19
ssi

CRM (A) 4285 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Arambagh Police Station Case No. **455 of 2025** dated **07.09.2025** under Sections **137 (2)/140(3)/351(2)/76/64(2) (f) (m)/115(2)/126(2)/3(5) of the BNS 2023.**

And

In the matter of: **XXXX.**

.... Petitioner.

Mr. Debashis Sinha
Ms. Sharmistha Dhar
Mr. Rishav Ray
Mr. Arpan Majhi

...for the petitioner

Mr. Prasun Kumar Datta, Ld. APP
Mr. Mirza Firoj Ahmed Begg

...for the State

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

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the maternal grandfather of the alleged victim. The alleged victim used to be tortured in her in law's place. The petitioner and other relatives of the victim went there and rescued her. An FIR had to be lodged against the husband and the other in laws. After staying at her paternal house for some time, she again went back to the matrimonial home. Thereafter, possibly under influenced of the in-laws, she started the present FIR making wanton allegations against the petitioner and others. She even alleged sexual assault by the present petitioner and collusion by the other relatives including her mother and brother. A bizarre allegation has been made

that the petitioner had forced her to file the previous FIR against her in-laws.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. However, he produces both the case diaries and refers to the statements of the alleged victim in both the cases.

It appears that in the first FIR being Arambagh Women P.S. Case No. 58 dated 27.06.2025, she made a statement before the police making specific allegations of torture and assault against her husband. There are other statements of witnesses present there. There is also an injury report present at page 31 of the earlier case diary indicating a swelling on the scalp of the alleged victim.

Now, in the second FIR, the victim alleges that all these were done at the instance of the petitioner and her mother and brother.

Considering the nature of allegations and the materials available in the case diary of the present case and the materials available in the case diary of the earlier case, 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, the application for anticipatory bail of the petitioner is allowed.

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 conditions that

the petitioner shall co-operate with the investigation and shall not threaten or intimidate the witnesses. The petitioner shall meet the I.O. once a fortnight till submission of report in final form.

The presence of the Investigating Officer is noted and is dispensed with.

(Jay Sengupta, J.)