

20.03.2026
Sl. No.03
Ct. 06
NB

Calcutta High Court
In The Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction

C.R.M (A) 163 of 2026

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 Mathabhanga PS Case No.464/2025 dated 16.06.2025 under Sections 85/115(2)/109 of BNS, 2023.

And

In the matter of: Ajimul Hossain ... petitioner

Mr. Arijit Ghosh
...for the petitioner.

Mr. Ujjwal Luksom,
Ms. Namrata Das.
...for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the husband of the alleged victim. The marriage between the couple took place in 2023. After some time, the alleged victim left the matrimonial home at her own volition. A letter dated 28.05.2025 was given by the advocate of the petitioner asking the alleged victim to return. In response, the present FIR was lodged on 16.06.2025.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statements of the victim and the other statements. However, there is no injury report present in the case diary. Charge sheet has been submitted.

Considering the above, the other materials available in the case diary and the fact that charge sheet has already been submitted, I am inclined to grant anticipatory bail to the present 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 not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date.

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.)