

District: Purba Bardhaman.

In the Court of the Sessions Judge, Purba Bardhaman, at Burdwan.

Present: Shri Bimal Kanti Bera,

Sessions Judge, Purba Bardhaman.

Criminal Misc.- Case No. 579 of 2026

(CNR NO. WBBB 01 001429 2026)

Bikash Pan & another

- versus-

The State

Order no. 05 dated 07.05.2026:

The application for anticipatory bail under Section 482 B.N.S.S. filed on behalf of the accused petitioners namely (1) Bikash Pan, and (2) Karuna Pan @ Kruna Pan who apprehend arrest in connection with Burdwan (Women) P.S. Case No. 32 of 2026 dated 06.02.2026 U/Ss 115(2)/117(2)/118(1)/109(1)/79/351(2)(3)/3(5) of B.N.S. is taken up for hearing.

Record of G.R. Case received. C.D. is also produced.

Heard the Ld. Advocate for the petitioners, and Ld. P.P. In-charge.

It is submitted by the Ld. Advocate for the petitioners that the complainant being the wife of the petitioner no.1 has been leading immoral life and living with another person. As he protested, the F.I.R-maker made this petition of complaint with false allegations. It is the further submission of the Ld. Advocate that no such application of these petitioners has either been moved before or rejected by the Hon'ble Court or by this Court on any earlier occasion. Hence, Ld. Advocate prays for grant of anticipatory bail to the petitioners on any condition as this Court deems fit.

Ld. P.P. In-charge does not raise any objection and submits that the nature of the injury sustained by the F.I.R-maker is simple in nature as noted by the attending doctor.

Perused the materials on record and in the C.D.

It is alleged by the complainant that she was married to the petitioner no.1 about 13 years ago. At the time of marriage customary gifts were given. After passing of few years, husband and mother in law started torturing her physically and mentally. Husband developed extra marital affair. He used to live with the mistress. F.I.R. maker previously made a complaint alleging cruelty against her husband and mother in law. In the year 2025 her husband took her back to her matrimonial home but he continued illicit relation. When the F.I.R-maker protested, husband and in laws assaulted her physically on 23.12.2025 and pressurized her to withdraw the earlier case.

On perusal of the C.D. it appears that the I.O. has examined the relatives of the F.I.R-maker and recorded their statements. I.O. has also collected the injury report. Doctor noted tenderness over chest, abdomen and back of neck. Though doctor noted history of unconsciousness and vomiting, no such allegation is made in the petition of complaint. Considering the facts and circumstances of the case and nature of injury, their prayer u/s 482 B.N.S.S. is allowed.

In the event of arrest of the above named accused petitioners in connection with the above noted case, they shall be released on bail on furnishing bonds of Rs. 3,000/- each with two sureties of Rs. 1,500/- each, subject to the satisfaction of the arresting officer, on the conditions stipulated in section 482(2) of B.N.S.S. with further direction that the petitioner no.1 Bikash Pan shall meet with the I.O. once in a week till completion of investigation by the I.O.

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Let a copy of this order along with the record of G.R. Case be transmitted to the concerned Court for information and necessary action.

C.D. be returned.

Instant Criminal Misc.- Case is thus disposed of.

Dictated & corrected by me.

S.J. Purba Bardhaman.

Sessions Judge, Purba Bardhaman.