

Cr. Misc. Case No. 1380 /2026
CNR No. WBHW0100 3226 2026
Present: Subhash Kumar Kar
Sessions Judge, Howrah.
J.O. Code – WB00592

Order No.02 dated 14.07.2026.

The application u/S.482 BNSS arising out of Bauria P.S. Case No. 89 of 2026 dated 27.05.2026 u/Ss. 85/316(2)/3(5) of BNS & 3/ 4 D.P. Act filed by the accused/petitioner namely, Shmontho Dalui @ Simanta Dolui, is taken up for hearing.

The petitioner has stated on affidavit that no application has been pending or rejected before or by the Hon'ble High Court till date.

Perused the petition and the C.D. Heard both sides.

Ld. Advocate appearing for the petitioner submitted that the de facto complainant left the house of the present petitioner voluntarily in the year 2025 and thereafter lodged this complaint after one year without any cogent explanation and it is prayed to allow the prayer for anticipatory bail.

Ld. P.P appearing for the State referred the relevant portion of the C.D and submitted to reject the prayer for anticipatory bail.

On perusal of the record it appears that this case relates to the alleged offence punishable u/Ss. 85/316(2)/3(5) of BNS & 3/ 4 D.P. Act, and it is alleged in the FIR that the de facto complainant was married to the petitioner in the year 2012 and thereafter a male child was born to them on 21.08.2015 and thereafter she was exposed to physical and mental torture by her in-laws and she was compelled to leave her matrimonial home on 19.05.2025 and on 04.07.2025 the petitioner and her in-laws came to their house and assaulted her and the relatives of her paternal family.

On perusal of the materials lying in the C.D., I do not find anything suggesting the custodial interrogation of the petitioner and I do not find any impediment in allowing the prayer for anticipatory bail of the petitioner.

Hence, it is

Ordered -

that the application under section 482 of BNSS filed by the accused/petitioner is considered and allowed.

Accordingly, in the event of arrest accused/petitioner namely, Shmontho Dalui @ Simanta Dolui, shall be released forthwith on furnishing bond of Rs.1,000/- with one regd. Surety of like amount, subject to the satisfaction of the Arresting Officer and on condition as laid down under Section 482(2) BNSS.

C.D and T.C.R be returned.

The Cr. Misc. Case is thus disposed of.

Let a copy of the order be sent to the Ld. A.C.J.M, Uluberia, for information and taking necessary action.

Dictated & corrected by me

S. J.

Sessions Judge, Howrah