14.10.2026
Court No.35.
D/L. 67.
Kausik
(PartlyAllowed)

CRM (A) 3817 of 2026

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973/Under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kumarganj Police Station Case No. 346 of 2026 dated September, 01, 2026 under Sections 85/115(2)/117(2)/109/3(5) of the Dowry Prohibition Act, 1961.

And

In the matter of : Habib Sarkar @ Raju & Ors.

.....Petitioners.

Mr. Bibaswan Bhattacharya
Mr. Abhik Sen
Mr. P. Roy

.....for the Petitioners.

Mr. Rajdeep Biswas
Mr. Ravi Ranjan Kumar

....for the State.

Learned advocate appearing for the petitioners submits that petitioner no. 1 is the husband, petitioner no. 2 is the mother-in-law, petitioner no. 3 is the father-in-law, petitioner nos. 4, 5, 6 are uncle-in-law, petitioner nos. 7 & 8 are married sister-in-laws, petitioner no. 9 is the brother-in-law.

Learned advocate for the State opposes the prayer for anticipatory bail as the case diary materials reflects of injuries being inflicted upon the wife of the petitioner no. 1.

I have taken into account the injury report. Injury report specifically stated assault was inflicted by husband. Having considered the same, I am of the opinion that the husband being petitioner no. 1, namely, **Habib Sarkar @ Raju,** his prayer for anticipatory bail is **rejected**.

So far as petitioner nos. 2 to 9 are concerned, their prayer for anticipatory bail is allowed.

As such, I direct that in the event of arrest, the petitioners, namely **(1) Rejiya Bibi Sarkar @ Rejiya Bibi, (2) Habibar Rahaman Sarkar @ Hobibar Sarkar, (3) Anoyar Ali Sarkar @ Anar Ali Sarkar, (4) Majedur Rahaman Sarkar @ Majidur Sarkar, (5) Sajedur Rahaman Sarkar @ Dulal Sarkar, (6) Rakhima Khatun Bibi @ Rakhi Khatun, (7) Taniya Khatun @ Aniya Khatun, (8) Wasim Ali Mandal @ Washim Mandal** be released on bail subject to the satisfaction of the investigating officer/arresting officer of the case and also subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and/or under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

As the investigation is in progress petitioner nos. 3, 4, 5, 6 and 9 will make themselves available as and when called for by the investigating officer of the case.

Accordingly, CRM (A) 3817 of 2026 is **partly allowed**.

Memo of Evidence submitted 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.)