

17.07.2025
Ct.No.25
Sl. No.49
Mujahid
(Allowed)

CRM (A) 2135 of 2025

In Re: An application for anticipatory bail under Section 482 of the B.N.S.S. filed on **17.06.2025** in connection with **Tehatta** P.S. Case No.**28 of 2025** dated **14.01.2025** under Sections **85/109/3(5)** of B.N.S., 2023.

And

In the matter of: **Deepak Narayan Borade**

... Petitioner.

Mr. Debapratim Guha,
Ms. Anchita Sarkar

...for the petitioner

Mr. Imran Ali,
Mr. Tapas Kumar Saha

...for the State

1. Learned counsel for the petitioner submits that though initially FIR was lodged under Sections 85/109/3(5) of BNS, 2023 read with Sections 3 and 4 of the Dowry Prohibition Act. However, the charge-sheet has been filed only under Section 85 of BNS, 2023. Learned counsel submits that the marriage took place in 2012 and the present complaint was made in January, 2025.

2. Learned counsel for the State has opposed the bail application.

3. During the course of submissions, it has emerged that allegations made by the de facto complainant are general in nature. In around 13 years of marriage there was no complaint prior to this. The alleged incident took place in September, 2024 and the FIR was lodged in January, 2025. Even during

investigation the allegations regarding attempt to murder could not be substantiated.

4. Taking into account, in the event of arrest, the petitioner shall be released on bail upon furnishing a personal bond of Rs.10,000/- each 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 Cr.P.C., 1973 corresponding to Section 482(2) of the BNSS, 2023 and on further conditions that the petitioner shall not threaten or intimidate witnesses. The petitioner shall stay outside the jurisdiction of Tehatta police station for a period of four months from this date, except for attending court or meeting the Investigating Officer.

5. The application for anticipatory bail is, thus, disposed of.

6. All parties shall act on the basis of the server copy of this order.

(Dinesh Kumar Sharma, J.)