

08.12.2025
Sl. No.35
Ct. 28
NB

CRM (A) 3779 of 2025

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 Dum Dum PS Case No.168/2025 dated 26.05.2025 under Sections 69/316(2)/318(4) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Ashish Dey

... petitioner

Md. Abdur Rakib,
Ms. Geetika Agarwal,
Ms. M. Mehedi.

...for the petitioner.

Mr. Avishek Sinha,
Mr. Santanu Talukdar.

...for the State.

Report filed on behalf of the State is taken on record.

As per the affidavit of service filed earlier and subsequent intimation given by the State, the alleged survivor was served with notice.

Despite service, no one appears on behalf of the alleged survivor.

Heard the learned counsels appearing on behalf of the petitioner and the State.

Perused the case diary.

Considering the materials available in the case diary including the statement of the victim where some kind of a relationship is admitted for a certain length of time and the other materials available in the case diary, I do not think that custodial

interrogation of the petitioner is required in this case and 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 cooperate with the investigation and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and the petitioner shall meet the Investigating Officer once a week till submission of report in final form.

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.)