

02.04.2025
Item no. 29.
Court No.1.
AB
(Allowed)

Calcutta High Court
In the Circuit Bench at Jalpaiguri

CRM (A) 162 of 2025

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 Pradhannagar Police Station Case No.406 of 2024 Dated 21.06.2024 under Sections 498A/494/325/307/506 of the Indian Penal Code read with Sections 3 /4 of the DP Act

And

In the matter of : Tapan Das Petitioner.

Mr. J. K. Bhowmik,
Mr. Sayantan Bhowmik,
Mr. Shubham Kumar,
Ms. Sayantani Dasfor the Petitioner.

Mr. Ujjwal Luksom,
Dr. Arjun Chowdhuryfor the State.

1. The petitioner is the husband of the victim lady. He says that the entire matter arises out of marital disharmony. He and the victim lady are married for the last 11 years. This false complaint regarding torture for dowry has been lodged only to pressurize him. There has been usual marital quarrel between the couple, nothing more.
2. Learned State Advocate shows me the injury report. The injury has been described as 'simple'. I have also seen the statements of witnesses recorded under Section 180 B.N.S.S. 2023. There are omnibus allegations against

the petitioner. I find that charge sheet has been submitted upon completion of investigation.

3. On an overall assessment of the material on record and the nature and gravity of the alleged offence, I am of the view that immediate custodial detention of the petitioner may not be necessary so long as he is prepared to cooperate with further investigation, if any.
4. Accordingly, in the event of arrest, the petitioner, namely **TAPAN DAS** 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 the arresting officer and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 until further orders and on further condition that he shall report to the Officer in charge of the concerned police station once in a fortnight until further orders.
5. In case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code of Criminal Procedure, 1973/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.
6. The application for anticipatory bail, being CRM (A) 162 of 2025, stands disposed of.

7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)