

23.05.2025
Court No.1
Sl. No.4
pk/AP

CRM (A) 332 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Naxalbari** Police Station Case No.**45 of 2025** dated **06.03.2025** under Sections **85/82(1)/115(2)/351(2)** of the Bharatiya Nyaya Sanhita, 2023 read with Sections **3/4** of the Dowry Prohibition Act.

And

In Re: **Ashok Subba**

... .. Petitioner.

Ms. Madhushri Dutta

... .. for the Petitioner.

Mr. Ujjwal Luksom

Ms. Namrata Das

... .. for the State

1. The application for anticipatory bail is made on the ground that in the first application liberty was granted to the petitioner to respond to the notice under Section 35(3) of the BNSS. The petitioner has duly responded to the same. Hence, the application was dismissed as infructuous.

2. The petitioner is the father-in-law of the de facto complainant. Counsel for the petitioner submits that he is willing to cooperate in the investigation at all stages. Charges against the petitioner are injury, harassment, torture on the wife and marring against during the subsistence of the first marriage.

3. Given the nature of the offences and the role ascribed to the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

4. Accordingly, this Court directs in the event of arrest, the petitioner be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall not leave the jurisdiction of the Naxalbari Police Station without express consent in writing of the investigating officer and on further condition that the petitioner shall cooperate with the investigation.

5. In the event the petitioner fails to comply with the aforesaid conditions as set out hereinabove, the anticipatory bail shall automatically stand cancelled without any further reference to this Court.

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

(Rajasekhar Mantha, J.)