6.
06-10-2026
(ct. no.34)
(allowed)
pp

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

CRM(A) 3248 of 2026

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Bidhannagar Women Police Station Case No.31 of 2026 dated 22-08-2026 under Sections 3(5), 85 and 316(2) of the Bharatiya Nyaya Sanhita, 2023 read with Section 3 and 4 of the Dowry Prohibition Act, 1961.

- A n d -

In the matter of : Tanmoy Das

.... Petitioner.

Mr. Ayan Bhattacharya, Sr. Adv.,
Mr. Rajib Mullick,
Mr. Subham Chatterjee,
Ms. Sonia Mukherjee

... For the Petitioner.

Mr. Amit Halder,
Mr. Arijit Banik

... For the State.

Mr. Soumyajit Das Mahapatra,
Ms. Madhurai Sinha,
Ms. Upasana Banerjee,
Mr. Bisal Roy

....for de-facto complainant

1. Apprehending arrest in connection with Bidhannagar Women Police Station Case No.31 of 2026 dated 22-08-2026, the petitioner has come up before this Court. The petitioner is the husband of the defacto complainant and the marriage took place in February, 2023. The complaint has been lodged on 28th August, 2026 and the case has been started under Section 85A(2) of BNS.

2. Learned Senior Advocate representing the petitioner draws the attention of this Court to the contents of complaints and also submits that after this application has been filed, notice under Section 35 (3) has been served upon him

3. On behalf of the State, objection has been raised to the prayer of the anticipatory bail. Memo of evidence has been filed. The same is kept with the record.

4. On behalf of the defacto complainant, learned advocate raises strong objection and submits that throughout the complaint, the defacto complainant has narrated the manner in which she has been subjected to physical and mental threat.

5. Having heard the submissions advanced by the learned advocates appearing for the respective parties and upon consideration of the facts and circumstances of the case, the nature of allegation and the fact that the offence under section 308 of BNS was subsequently added ,this court finds that the materials on record disclose that gold loans had been availed from different banks by mortgaging the jewellery in question .In such circumstances and having regard to the nature of the allegations and the materials presently available this Court is of the considered view that custodial interrogation of the petitioner is not warranted .

5. Accordingly, in the event of arrest, the petitioner, namely, **Tanmoy Das**, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer. The petitioner shall abide by the conditions laid down in Section 482(2) of the BNSS. In addition, the petitioner have to be present before the Investigating Officer once in a week till the investigation is completed or so long the petitioner is

asked to be present, until further orders, and shall also cooperate with the investing agency.

6. In the event the petitioner failed to adhere to any of the conditions stipulated above, the learned court will be at liberty to cancel the anticipatory bail without further reference of this Court.

7. The application for anticipatory bail is, thus, **allowed**.

8. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

9. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

[Chaitali Chatterjee (Das), J.]