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(ct. no.07)
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In the High Court At Calcutta
Jalpaiguri Circuit Bench

CRM (A) 773 of 2026

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure/Section 482 of the BNSS in connection with **Dhupguri Police Station** Case No. **164 of 2026** dated **27.05.2026** under Sections **85/117(2)/109/3(5)** of the BNS, 2023 and Sections 3/4 of the DP Act.

- A n d -

In the matter of : Durbendu Roy @ Durbindu Roy

.... Petitioner.

Mr. Sayantan Bhowmik,

... For the Petitioner.

Mrs. Panchali Deb Sikder,
Ms. S. Mitra Sinha,
Mr. R. Saha,

... For the State.

1. The petitioner is the husband of the victim/defacto complainant. The allegations are under various Sections of the BNS corresponding to Sections 498A/326/307 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

2. The petitioner says that he has been falsely implicated owing to certain matrimonial disputes which are common between a husband and wife. The complaint was lodged nine days after the alleged incident. The parents in law of the victim have been granted anticipatory bail by the learned Sessions Judge, Jalpaiguri. He is willing to cooperate with the Investigating officer to the fullest extent. He prays for anticipatory bail.

3. Opposing the prayer, learned State Advocate shows me the material in the case diary. There is no injury report. Only two photographs of the victim are found in the case diary. Such photos do not indicate any serious injury.

4. In view of the aforesaid, I am of the opinion that immediate custodial interrogation of the petitioner may not be necessary so long as he cooperates with the Investigating Officer and also on condition that he will meet the Investigating Officer on 19.11.2026 at 12.30 p.m. and thereafter, as and when required to do so by the Investigating Officer.

5. Accordingly, in the event of arrest, the petitioner, namely **Durbendu Roy @ Durbindu Roy,** 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/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 until further orders.

6. In case the petitioner fails to adhere to any of the conditions mentioned hereinabove or in Section 438(2) of the Code of Criminal Procedure/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.

7. The application for anticipatory bail being CRM (A) 773 of 2026 is disposed of.

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

(Arijit Banerjee, J.)