

D/L495
08.09.2026
Bpg.
Allowed

C.R.M. (A) 2933 of 2026

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Suri Police Station Case No.491 of 2026 dated 27.07.2026 under Sections 106(1)/318(4)/238/61(2) of Bharatiya Nyaya Sanhita, 2023 and adding Section 105 of Bharatiya Nyaya Sanhita, 2023 and Section 3 of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989;

Dr. Sabyasachi Saha & Ors.
Versus
State of West Bengal

Mr. Sandipan Ganguly
Ms. Priyanka Sarkar
Mr. D. Azad.

...for the petitioners.

Mr. Sagar Saha
Ms. Nayana Mukhopadhyay.
...for the State.

Learned senior advocate appearing for the petitioners submits that the petitioners have been foisted with the present criminal case.

State has opposed the prayer for anticipatory bail and submitted that the petitioner no.3 has been misbehaving and was also aggressive with the family members of the patient.

I have taken into account the materials appearing in the case diary and considering an overall view, I am of the opinion that regard being had to the nature of the offences complained of, custodial detention of the present petitioners may not be warranted.

As such, the prayer for anticipatory bail of the petitioners are allowed.

Accordingly, in the event of arrest, the petitioners, namely, Dr. Sabyasachi Saha, Utpal Ghoshal and Amitava Roy shall be released on bail to the satisfaction of the Arresting Officer and also be subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure corresponding to Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

As the investigation of the case is in progress, the petitioners shall report to the investigating officer of the case within a period of 10 days from date and thereafter on all subsequent dates fixed by the investigating officer of the case till the report in final form is submitted before the jurisdictional court.

Accordingly, CRM(A) 2933 of 2026 is allowed.

Memo of Evidence submitted by the State be kept with the record.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)