

22.12.2025
Sl. No.17
NB

CRM (A) 3997 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kotwali PS Case No.1088/2024 dated 03.10.2024 under Sections 337/338/336(3)/339 of the Bharatiya Nyaya Sanhita 2023 adding Sections 111/61(2) of Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Barun Singha Roy ... petitioner

Mr. Jaydeep Biswas,
Mr. Asraf Mandal,
Mr. Tanbir Mandal.

...for the petitioner.

Ms. Faria Hossain,
Mr. Ashok Das.

...for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. This is a second application for anticipatory bail after the first one was rejected on 06.01.2025 in *CRM(A) 24 of 2025*. Charge sheet has now been submitted on the same allegations as contained in the FIR. However, the QDEB report in question that was obtained does not express any opinion. Certain arguments that could have been placed in this regard were not placed on the earlier occasion as the charge sheet has not been submitted.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. She submits that the second application for anticipatory bail is not maintainable. There is no substantial change in circumstances. The charge sheet has also been submitted on the same allegations as in the FIR. The QDEB report is inconclusive only because the original could not be obtained as the same is with the present petitioner who is absconding.

It appears that charge sheet has been submitted against the petitioner on the same allegations as contained in the FIR. As such, there is no material change in circumstance to entertain a second application for anticipatory bail.

Considering the above and the other incriminating materials available in the case diary, I do not consider this to be a fit case for granting anticipatory bail.

The application for anticipatory bail is, thus, rejected.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)