

20.01.2025.
Sl. No.77.
Ct. No. 1
SG
(Rejected)

IN THE HIGH COURT AT CALCUTTA
Circuit Bench At Jalpaiguri

C. R. M. (A) 12 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Matigara Police Station Case No. 747 of 2024 dated 21.12.2024 under Sections 329(3)/115(2)/117(2)/303(2)/326(g)/3(5)/351(2) of BNS.

And

In Re: **Saurav Kumar.**

..... Petitioner

Mr. Anirban Banerjee.

.....for the petitioner

Mr. Abhijit Sarkar,
Mr. Kallol Nag.

.....for the State

Mr. S. Mukherjee,
Mr. S. Kar,
Ms. O. Mukherjee,
Mr. S. De,
Ms. E. Acharya.

....for the de facto complainant

1. Petitioner contends there is a civil dispute between the parties. He has been falsely implicated in a series of proceedings. Co-accused are on bail. Accordingly, he prays for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail. He contends petitioner is a member of an organized crime syndicate and involved in similar offences. Offence under Section 111 of BNS has been added to the FIR.

3. Learned Advocates for the *de facto* complainant submit interim bail of co-accused has been cancelled due to post-bail conduct.

4. We have considered the materials on record. Petitioner and co-accused constitute a gang of land grabbers. A number of criminal cases have been registered against them on similar allegations. It is contended petitioner is not a resident of the locality and has been falsely implicated. Statements of witnesses speak otherwise. Interim bail granted to co-accused has been cancelled due to post-bail conduct and offence under Section 111 of BNS (organized crime) has been added to the FIR.

5. In view of the gravity of offence and prima facie involvement of the petitioner, we are of the opinion his custodial interrogation is necessary and this is not a fit case to grant anticipatory bail.

6. Application for anticipatory bail is, thus, rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)