

11.02.2025
Court No.01
rpan/ 25

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI**

CRM (A) 61 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023;

And

In Re: Kalipado Roy @ Kalipada Roy & Another

- Petitioners.

Mr. Bikash Singha,
Mr. Aniruddha Tarafdar,
Mr. Chandan Roy,
Mr. Abdul Habib
...for the Petitioners.

Mr. Ujjwal Luksom,
Mr. Kallol Nag
...for the State.

Apprehending arrest in connection with Kotwali Police Station Case No.710 of 2024 dated 15.10.2024 under Sections 85/80(2)/103(1) of the Bharatiya Nyaya Sanhita, 2023, the present application has been preferred.

Mr. Singha, learned advocate appearing for the petitioners submits that the petitioner nos.1 and 2 respectively are the father and mother of the principal accused. They have been falsely implicated and the principal accused has already been granted bail. In view thereof, custodial interrogation of the petitioners may not be necessary, moreso when upon completion of investigation chargesheet has been submitted.

Mr. Luksom, learned advocate appearing for the State opposes the petitioners' prayer and draws our attention to several documents in the case diary.

Considering the materials on record, including the statement of the witnesses, the nature of accusations and the extent of

complicity of the petitioners in the alleged offence, we are of the opinion that their custodial interrogation is not necessary, moreso when upon completion of investigation chargesheet has already been submitted and as the principal accused has already been granted bail.

Accordingly, we direct that in the event of arrest the petitioners, namely, **Kalipado Roy @ Kalipada Roy** and **Sabita Roy** shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with further condition that they shall attend the trial court on all the dates as fixed for hearing.

It is made clear that in the event the petitioners fail to comply with the aforesaid directions without any justifiable cause, the learned trial court would be at liberty to cancel their bail without any further reference to this Court.

The application for anticipatory bail, being CRM (A) 61 of 2025, is disposed of.

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

(Prasenjit Biswas, J.)

(Tapabrata Chakraborty, J.)