

11.02.2025

Court No.01

rpan/ 26

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

CRM (A) 62 of 2025

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

And

In Re: Arup Roy @ Bablu Roy

- Petitioner.

Mr. Subhasish Misra,
Mr. Satyajit Paul
...for the Petitioner.

Mr. Kallol Acharjee,
Mr. Kallol Nag
...for the State.

Apprehending arrest in connection with Pundibari Police Station Case No.139 of 2021 dated 23.03.2021 under Sections 326/302 of the Indian Penal Code, the present application has been preferred.

Mr. Misra, learned advocate appearing for the petitioner submits that the allegations are omnibus in nature. The petitioner's name does not feature in the FIR. Upon completion of investigation chargesheet has also been submitted and as such, custodial interrogation may not be necessary.

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

Considering the materials on record, including the statement of the witnesses and the post-mortem report, the nature of accusations and the extent of complicity of the petitioner in the alleged offence, we are of the opinion that custodial interrogation of

the petitioner is not necessary, moreso when upon completion of investigation chargesheet has already been submitted.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Arup Roy @ Bablu 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 subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with further condition that he shall attend the trial court on all the dates as fixed for hearing.

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

The application for anticipatory bail, being CRM (A) 62 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.)