

14.02.2025
Court No.01
rpan/ 42

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

CRM (A) 90 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to Section 438 of the Code of Criminal Procedure filed in connection with Kumargram Police Station Case No.05 of 2025 dated 09.01.2025 under Sections 64/62/351(2) of the Bharatiya Nyaya Sanhita, 2023;

And

In Re: Sri Pradip Sarkar

- Petitioner.

Mr. Pritam Roy,
Ms. Silpi Basu
...for the Petitioner.

Mr. Sourav Ganguly,
Ms. Sukanya Adhikary
...for the State.

1. It is said on behalf of the petitioner that this petitioner has been falsely entangled with the crime and all the allegations made in the written complaint are false and baseless. As such, no purpose will be served by putting this petitioner behind the bar for the sake of custodial interrogation.

2. The learned advocate for the State raises objection by submitting that there are sufficient incriminating materials gathered in the case diary which indicate about *prima facie* involvement of this accused petitioner with the alleged offence. Moreover, the investigation process is still continuing.

3. We have consulted the materials gathered in the case diary, including the statement of the victim and the medical report.

4. Keeping in mind the extent of his complicity in the crime, we find that no purpose will be served by putting the accused

petitioner behind the bar for the sake of custodial interrogation. We are of the view that custodial interrogation of this petitioner is not necessary.

5. Accordingly, we direct that in the event of arrest the petitioner, namely, **Sri Pradip Sarkar** 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.

6. The application for anticipatory bail, being CRM (A) 90 of 2025, is disposed of.

7. 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.)