

03.04.2025
Item no. 12.
Court No.1.
AB
(Allowed)

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

CRM (A) 153 of 2025

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973/Under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Siliguri Police Station Case No.739 of 2024 Dated 08.08.2024 under Sections 316(2)/318(4) of the B.N.S. 2023

And

In the matter of : Samit Kumar Roy Petitioner.

Mr. Sourav Ganguly,
Mr. Deborshi Dhar,
Ms. Rishita Chakraborty,
Ms. Taniya Bhowmik for the Petitioner.

Mr. Abhijit Sarkar,
Ms. Sukanya Adhikari for the State.

1. The petitioner says that he has been falsely implicated in this case. The charge is that by promising to secure job for the defacto complainant, the petitioner extracted Rs.1 Lac from him. This was a false promise.
2. The petitioner says that in no way he is involved in the alleged offence. He is fully prepared to cooperate with the Investigating Officer.
3. Learned State Advocate strongly opposes the prayer for anticipatory bail. He says that the petitioner is a part of organized crime. To my query as to whether or not the

petitioner has any criminal antecedent, learned State Advocate fairly admits that there is no such history.

4. We find that a co-accused person to whom also the defacto complainant allegedly paid money for securing job, has been granted pre arrest bail by a Coordinate Bench on February 17, 2025. Except for the fact that that person is a lady, the petitioner and that person seem to be similarly circumstanced.
5. On an overall assessment of the material on record and considering the nature and gravity of the alleged offence, I am of the opinion that immediate custodial detention of the petitioner may not be necessary so long as he fully cooperates with the Investigating Officer.
6. Accordingly, in the event of arrest, the petitioner, namely **SAMIT KUMAR 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 shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 until further orders and on further condition that he shall report to the Investigating Officer once in a fortnight till completion of investigation. The petitioner shall go and meet the Investigating Officer within seven days from date.

7. In case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code of Criminal Procedure, 1973/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.
8. The application for anticipatory bail, being CRM (A) 153 of 2025, stands disposed of.
9. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)