

35. 02.04.2025
Court
No.1 (Tanmoy)

Allowed

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE

CRM (A) 177 of 2025

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 / Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Sahebganj Police Station Case No. 31/2025** dated **21/01/2025** under Sections **126(2)/115(2)/117(2)/109/74/351(3)/3(5)** of Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: - **Tanmay @ Tanmai Barman**

...petitioner.

Mr. Sudip Guha

...for the petitioner.

Mr. Tapan Bhattacharjee

Mr. Chattu Roy

...for the State.

1. The petitioner says that he is one of four accused persons. Initially the charge was of causing grievous bodily harm and attempted murder. The other three accused persons have been granted anticipatory bail. He stands on the same footing as those persons. He prays for anticipatory bail.
2. Learned State Advocate, while opposing the prayer for anticipatory bail, apprises me that charge-sheet has been filed upon completion of investigation. Charge under Section 307 of Indian Penal Code (corresponding to Section 109 of Bharatiya Nyaya Sanhita, 2023) has not been incorporated in the charge-sheet.
3. I have seen the material in the case diary including the injury report. I find that this petitioner is similarly circumstanced as

the other accused persons who have been granted anticipatory bail.

4. Hence, I allow the petitioner's prayer for anticipatory bail.
5. Accordingly, in the event of arrest, the petitioner, namely, **Tanmay @ Tanmai Barman**, 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 Bharatiya Nagarik Suraksha Sanhita, 2023, until further orders and on further condition that the petitioner shall appear before the learned Trial Court on each and every date of hearing and shall meet the Investigating Officer of the case, once every fortnight until further orders.
6. In case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code / Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.
7. The application for anticipatory bail being CRM (A) 177 of 2025 is thus allowed and disposed of.
8. Urgent Photostat certified copy of this order, if applied for, be made available to the parties upon compliance with all requisite formalities.

(Arijit Banerjee, J.)