

27. 03.04.2025
Court
No.1 (Papiya)

Allowed

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

CRM (A) 186 of 2025

In Re: - An application for anticipatory bail under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Sahebganj Police Station Case No. 01 of 2025** dated **02/01/2025** under Sections **126(2)/117(2)/109/3(5)** of the Bharatiya Nagarik Suraksha Sanhita, 2023.

And

In the matter of: - **Bhuttu Miah @ Abdul Latif @ Bhuttu Abdul Latif**

...petitioner.

Mr. Sudip Guha, Adv.

...for the petitioner.

Mr. Kallol Acharjee, Adv.
Mr. Biswarup Ray, Adv.

...for the State.

1. The petitioner says that the incident occurred when a BSF personnel at the Indo-Bangla border seized the petitioner's Mobile phone. The petitioner was under the impression that the de-facto complainant had complained to that BSF personnel about this petitioner and, therefore, his phone was confiscated. From this, there was an altercation between the de-facto complainant and the petitioner which may have resulted in injury to the de-facto complainant.
2. The petitioner prays for pre-arrest bail. He says that he will fully cooperate with the Investigating Officer. Charge-sheet has not been filed. He further says that a co-accused person has been granted anticipatory bail by the learned Sessions Court.

3. Learned State Counsel shows me the injury report. The injury does not appear to be grievous.
4. On an overall assessment of the material on record and the nature and gravity of the alleged offence, I am of the view that immediate custodial interrogation of the petitioner may not be necessary so long as he cooperates with the Investigating Officer.
5. Accordingly, in the event of arrest, the petitioner, namely, **Bhuttu Miah @ Abdul Latif @ Bhuttu Abdul Latif**, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), 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 the petitioner shall meet the Investigating Officer of this case once in a fortnight, until further orders. Within seven days from date, the petitioner shall go and meet the Investigating Officer of this case.
6. The application for anticipatory bail being CRM (A) 186 of 2025 is thus **allowed** and disposed of.
7. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)