

**In the High Court At Calcutta
Jalpaiguri Circuit Bench
CRM (A) 202 of 2025**

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure/Section 482 of the BNSS in connection with **Baxirhat Police Station** Case No. **19 of 2021** dated **16.02.2015** under Sections **448/325/326/307/354/506/34** of the Indian Penal Code.

- A n d -

In the matter of : Bikash Saha & Ors.

.... Petitioners.

Mr. Sudip Guha,

... For the Petitioners.

Mr. Saikat Chatterjee,
Mr. Chattu Roy,

... For the State.

1. The petitioners say that the incident was the result of a political rivalry. There are 11 accused persons. 4 persons are already on bail. Charge sheet has already been submitted. Their custodial interrogation is not necessary. They are fully prepared to cooperate with the police authority at all times.

2. Opposing the prayer for anticipatory bail, learned State Advocate tells me that all the petitioners are named in the FIR. He shows me the injury reports of the two victims.

3. I have considered the facts and circumstances of the case. The injury reports do not mention the nature of the injuries. The photographs produced by learned Advocate for the State do appear to me frightening but photographs can be deceptive.

4. On an overall assessment of the facts and circumstances of the case and the nature and gravity of the alleged offence, I am of the opinion that immediate custodial interrogation of the

petitioners may not be necessary so long as they are prepared to cooperate with the police in case of further investigation.

5. Accordingly, in the event of arrest, the petitioners, namely **Bikash Saha, Mani Barman, Abu Miah @ Abu Hossain Mia, Sadhu Saha, Tapas Barman, Dipesh Das @ Dwipesh**, shall be released on bail upon furnishing a bond of Rs.10,000/- each, 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/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 until further orders and on further condition that the petitioners shall report to the Investigation Officer within seven days. The petitioners shall report to the Officer in Charge of the concerned Police Station once in a fortnight and as and when called for until further orders.

6. In case the petitioners fail to adhere to any of the conditions mentioned hereinabove or in Section 438(2) of the Code of Criminal Procedure/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.

7. The application for anticipatory bail being CRM (A) 202 of 2025 is disposed of.

8. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)