

25.04.2025
(D/L 1)
Ct. No.1
(Naba)

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
CRM (A) 220 of 2025**

In Re:- An application for anticipatory bail under Section 482 of the Bhartiya Nagarik Suraksha Sanhita, 2023, corresponding to Section 438 of the Code of Criminal Procedure, 1973 in connection with **Jaigaon P.S. Case No. 224 of 2024** dated **09.10.2024** under Sections 103(1)/238/61(2) of the Bharatiya Nyaya Sanhita, 2023 corresponding to **G.R. Case No. 1832 of 2024**.

And

In the matter of : **Suraj Alam @ Babu Mia @ Babu Miya**
... Petitioner

Mr. Arijit Ghosh
... for the Petitioner

Mr. Ujjwal Luksom,
Mr. Aniruddha Biswas
... for the State

1. Heard the learned counsel for the petitioner and the learned State counsel.
2. The informant's son has gone missing and his dead body was recovered thereafter he has lodged the prosecution alleging that his neighbour is involved in the killing of his son along with 03 (three) other persons, including the present petitioner.
3. The learned counsel for the petitioner submits that at best the petitioner is implicated by virtue of conspiracy. All other accused persons have been allowed bail. Charge-sheet has already been submitted

and therefore, the petitioner be granted the privilege of anticipatory bail.

4. The learned State counsel on the other hand draws attention of this Court towards the orders passed in respect of the other accused persons. The same have been enclosed along with the anticipatory bail application. He submits that all these co-accused persons were taken in custody and thereafter granted regular bail. The petitioner claiming parity with the other co-accused persons, cannot be given any better treatment than the others. It is further submitted that once he surrenders, the police may be able to proceed further with investigation, if the same is required. The further submission is that the nature of allegations does not entitle the petitioner to grant of anticipatory bail.
5. Considering the rival submissions, considering the petitioner's claim for parity with the other co-accused persons who have been enlarged on bail after their surrender, this Court does not find any reason to give any better treatment to the petitioner by allowing him the privilege of anticipatory bail.
6. Accordingly, the prayer for the anticipatory bail is rejected.

7. The application being **CRM (A) 220 of 2025** is dismissed.

(Madhuresh Prasad, J.)