

**In the High Court At Calcutta
Jalpaiguri Circuit Bench
CRM (A) 226 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 **Kotwali Police Station** Case No. **1206 of 2024** dated **08.12.2024** under Sections **329(3)/115(2)/117(3)/74/351(2)/3(5)** of the BNS, 2023.

- A n d -

In the matter of : Sukumar Sarkar

.... Petitioner.

Mr. Arjun Chowdhury,
Ms. Riya Agarwal,
Mr. Mantu Mondal,
Mr. B. Roy,

... For the Petitioner.

Mr. Saikat Chatterjee,
Mr. C. Roy,

... For the State.

1. The petitioner says that there was a fight between the family members over the issue of partition and distribution of joint property. In the process, the allegation is, that the petitioner bit the defacto complainant's son on the lips and all over the face.

2. Learned Advocate for the State shows me the injury report. There is no grievous injury. Investigation is complete and charge sheet has been submitted.

3. In view of the aforesaid and considering the nature and gravity of the alleged offence, I am of the view that immediate custodial interrogation of the petitioner is not necessary.

4. Accordingly, in the event of arrest, the petitioner, namely **Sukumar Sarkar**, 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/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 until further orders and on further condition that the petitioner shall report to the Investigation Officer within seven days. The petitioner shall report to the Officer in Charge of the concerned Police Station once in a fortnight until further orders.

5. In case the petitioner fails 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.

6. The application for anticipatory bail being CRM (A) 226 of 2025 is disposed of.

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

(Arijit Banerjee, J.)