

**In the High Court At Calcutta
Jalpaiguri Circuit Bench
CRM (A) 234 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 **Dinhata Police Station** Case No. **55 of 2025** dated **04.02.2025** under Sections **117(2)/118(2)/74/324(4)/3(5)** of the BNS, 2023.

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In the matter of : Sri Bimal Guha

.... Petitioner.

Ms. Matan Chakraborty,

... For the Petitioner.

Mr. Tapan Bhattacharjee,

Mr. Subhasish Roy,

... For the State.

1. The petitioner says that he has been falsely implicated. There was a quarrel between his son and the son of the defacto complainant. The defacto complainant and the petitioner are neighbours. To stop the two sons from fighting, the petitioner went to the place of occurrence. Hence, he is falsely implicated. The FIR itself would show that there is past enmity between the two families. He prays for anticipatory bail.

2. Opposing the prayer, learned State Advocate shows me the medical report. The victim did sustain injury but the same does not appear to be grievous. It *prima facie* appears from the material in the case diary that the incident involves neighbourly disputes.

3. On an overall assessment of the material on record and the nature and gravity of the alleged offence, I am of the opinion that immediate custodial interrogation of the petitioner may not be necessary so long as he cooperates with the Investigating Officer.

4. Accordingly, in the event of arrest, the petitioner, namely **Sri Bimal Guha**, 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 and as and when called for 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) 234 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.)