

08.04.2025
Item no. 25.
Court No.1.
S.De
(Allowed)

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

CRM (A) 255 of 2025

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973/Under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Dinhata Police Station Case No.55 of 2025 Dated 04.02.2025 under Sections 329(4), 115(2), 117(2), 118(2), 74, 324(4), 3(5) of the Bharatiya Nyaya Sanhita.

And

In the matter of : Sri Dipankar Guha. ...Petitioner.

Ms. Matan Chakraborty, ...for the Petitioner.

Mr. Tapan Bhattacharjee,
Mr. Dhiman Sil, ...for the State.

1. The petitioner says that there was a scuffle between him and the victim. There is long time enmity between the two families. No serious injury has been suffered by the victim. The other co-accused person being the petitioner's father has been granted anticipatory bail by this Court by an order dated April 4, 2025 in CRM (A) 234 of 2025. He says that he will fully co-operate with the investigating officer. He prays for pre-arrest bail.
2. Learned State advocate, while opposing the prayer, shows me the injury report. The injury does not appear to be very serious. I have also seen the statements of neighbours recorded under Section 161 Cr.P.C. (Section

180 of B.N.S.S.). The written complaint also indicates that there is past enmity between the two families.

3. 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 view that immediate custodial interrogation of the petitioner may not be necessary so long as he co-operates with the investigating officer.
4. Accordingly, in the event of arrest, the petitioner, namely, **Sri Dipankar 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, 1973/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 until further orders and on further condition that the petitioner shall meet the Officer-in-Charge/Inspector-in-Charge of the Dinhata Police Station once in a fortnight and as and when called for until further orders. Within seven days from date, the petitioner shall go and meet the Officer-in-Charge/Inspector-in-Charge of the said police station.
5. In case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code of Criminal Procedure, 1973/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) 255 of 2025, stands 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.)