

14.5.2025
SL No.4
Court No.1
(tk)

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

CRM (A) 265 of 2025

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

In the matter of : **Biswajit Mandal,**

...Petitioner.

Mr. D. Kundu,

....For the Petitioner.

Ms. A.S. Chakraborty, ld. APP,
Mr. A. Biswas,

.... For the State.

1. The application for anticipatory bail is pressed on the ground that the principal accused, the land owner elder brother of the applicant, has been enlarged on bail.
2. The prosecution case, in brief, is that the applicant and his brother had set up an electric fence around their field, as a consequence whereof an elephant got electrocuted and died. The carcass was found in the house of the accused person.
3. It is argued by counsel for the applicant that he is working in Kerala since after the incident as a daily labour.
4. The principal accused is one of the participants in setting up of the electric fence.
5. The applicant is absconding and has not cooperated with the investigation till date.

6. Before the earlier Bench, the applicant indicated that he will bring the evidence that he is working in Kerala. There are no such documents produced today.
7. Response of the applicant to the notice under section 41(a) is yet to be ascertained.
8. In those circumstances, the application for anticipatory bail is rejected at this stage.

(Rajasekhar Mantha, J.)