

13. 11.04.2025
Court
No.1 (Tanmoy)

Allowed

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE**

CRM (A) 282 of 2025

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 / Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Sitai Police Station Case No. 02/2025** dated **01.01.2025** under Sections **85/118(2)/109/3(5)** of Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: - **Biswanath Das @ Bishwanath Das**

...petitioner.

Mr. Subhasish Misra
Mr. Satyajit Paul

...for the petitioner.

Mr. Saikat Chatterjee
Mr. Chattu Roy

...for the State.

1. The allegations against the husband and the parents-in-law of the victim lady are of torture and attempt to murder. The parents-in-law have been granted anticipatory bail by the learned Sessions Court. The husband has now approached this Court for pre-arrest bail.
2. I have seen the statements of witnesses including that of the victim lady. The allegations are general and omnibus. The injury report does not reveal anything significant.
3. On an overall assessment of the material on record, I am of the view that immediate custodial interrogation of the petitioner may not be necessary so long as he extends full co-operation to the Investigating Officer.

4. Accordingly, in the event of arrest, the petitioner, namely, **Biswanath Das @ Bishwanath Das** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), 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 Bharatiya Nagarik Suraksha Sanhita, 2023, until further orders and on further condition that the petitioner shall appear before the learned Trial Court on each and every date of hearing and shall report to the Investigating Officer of this case, once every fortnight, until further orders. Within seven days from date, the petitioner shall go and meet the Investigating Officer.
5. In case the petitioner fails to adhere to any of the conditions stipulated above, 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) 282 of 2025 is accordingly disposed of.
7. Criminal Section is directed to make available certified copies of this order to the parties, if applied for, upon compliance with all requisite formalities.

(Arijit Banerjee, J.)