

20.5.2025
SL No.3+4
Court No.1
(tk)

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

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

CRM (A) 320 of 2025

In the matter of : **Pronab Sankar Sarkar,** **...Petitioner.**

Mr. S.K. Mazukdar, Sr. Adv.,
Mr. S. Ganguli,
Mr. S. Dutta,
Ms. R. Chakraborty,
...For petitioner.

Mr. N. Chakraborty, ld. APP,
Ms. S. Adhikary,
... For the State.

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CRM (A) 321 of 2025

In the matter of : **Chandan Shil,** **...Petitioner.**

Mr. S.K. Mazukdar, Sr. Adv.,
Mr. S. Ganguli,
Mr. S. Dutta,
Ms. R. Chakraborty,
...For petitioner.

Mr. N. Chakraborty, ld. APP,
Mr. B. Das,
... For the State.

1. The applications for anticipatory bail are made on the ground that attempt has been made to serve notice under section 41(a) of the CrPC, equivalent to section35(3) of the BNSS.

2. It further appears that FIRs both under sections 406/420 of the IPC have been registered. The sections are mutually exclusive of one another.
3. The case diaries confirm that no attempt has been made to serve notice under section 41(a) of the CrPC.
4. The prayer for anticipatory bail is opposed by the State on the ground that the applicants are absconding and several raids taken out to apprehend them have not yielded any result.
5. In that view of the matter, this Court is of the view that the grant of anticipatory bail to the applicant(s) would encourage the applicant(s) to participate in the investigation.
6. In the above circumstances, the applicants are entitled to anticipatory bail.
7. In the event of arrest, the applicants shall be released on furnishing of two sureties each for Rs.10000/- each, one of whom must be local in each case.
8. This order is subject to the conditions laid down in sub-section (2) of section 438 of the Code of Criminal Procedure corresponding to section 482(2) of the BNSS, 2023.
9. The applicants undertake to fully cooperate with the investigation and attend the police station as and when asked and shall not leave jurisdiction of the the police stations whereat they reside without the express leave of the concerned Investigation Officer in writing.
10. Let the Case Diaries be returned.

11. With the aforesaid directions, CRM(A)/320/2025 and CRM(A)/321/2025 stand disposed of.
12. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)