

10.06.2025
Serial no. 58
[G.S.D]

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

CRM (A) 338 of 2025

In re : An Application under Section **482** of the BNSS, 2023/under
Section 438 of the Cr.P.C. in connection with **Malbazar P.S. Case**
No. 369/2015 dated 05.08.2015 under Sections
448/342/376/506/109 of the IPC.

-And-

In the matter of : Suren Roy

... Petitioner(s)

Mr. Jaydeep Kanta Bhowmik
Mr. Sayantan Bhowmik
Mr. Shubham Kumar
Ms. Sayantani Das

... for the petitioner(s)

Mr. Ujjwal Luksom
Ms. Namrata Das

... for the State

Learned advocate for the petitioner submits that so far as the offence relating to Section 376 of the IPC and the other allied offences are concerned, hardly the petitioner has any role to play, the complicity of the petitioner is to the limited extent that after the offence was committed the petitioner threatened the victim in case she refused to accept the money and withdraw the case.

Learned advocate for the State, on the other hand, produces the Case Diary and refers to the statement of the

victim under Section 164 of the Cr.P.C. as also the statements of the other witnesses.

I have considered the statements and I find that there is no specific accusation in the statement under Section 164 of the Cr.P.c. so far as the present petitioner is concerned. However, some of the witnesses have referred to the threats and the approach of the present petitioner for forcing to mutually settle the dispute.

Be that as it may, having considered the role of the present petitioner, I am of the view that custodial interrogation of the present petitioner may not be warranted in the facts and circumstances of the case, as such, the prayer for bail of the petitioner is **Allowed.**

Accordingly, I direct that in the event of arrest, the petitioner be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer of the case and also subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and/or under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

In view of the charge-sheet having been submitted, the order of anticipatory bail will remain in force for a period of six weeks.

Accordingly, CRM(A) 338 of 2025 is disposed of.

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)