

02.07.2025

Item No.16

Ct.No.02

rc.

Allowed

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (A) 443 of 2025

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Bhaktinagar Police Station Case No. 1063 of 2023 dated 03.12.2023 under Section 306 of the Indian Penal Code.

And

In Re : **Prosenjit Roy @ Prasenbjit Roy**

... Petitioner

Ms. Pratusha Dutta Chowdhury
Mr. Manty Mondal

... for the Petitioner

Mr. Kallol Acharjee
Mr. Kallol Nag

... for the State

Heard learned counsels for the parties.

Prayer for anticipatory bail of the petitioner was turned down by this Court on January 29, 2025. After the said order was passed charge sheet has been submitted and the principal accused has been granted bail.

Learned counsel for the State opposes the prayer for anticipatory bail primarily on the ground that a second application has been filed by the petitioner.

In view of the changed circumstances of the case following rejection of the anticipatory bail of the petitioner

earlier, this Court is of the view that there is no bar in entertaining the present application.

On merits, charge sheet has been submitted. The principal accused is on bail. Whether the conduct of the petitioner can be said to be the proximate cause for commission of suicide by the victim shall be assessed at the appropriate stage of the trial.

Considering the material on record and extent of complicity of the petitioner in the alleged offence, this Court is inclined to grant anticipatory bail to the petitioner.

Accordingly, in the event of arrest, the petitioner **Prosenjit Roy @ Prasenbjit Roy** be released on bail on furnishing bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer and subject to provision under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023. The petitioner shall appear before the jurisdictional Court and pray for regular bail within two weeks from date.

The application for anticipatory bail is, thus, disposed of.

Case Diary be returned.

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

(Suvra Ghosh, J.)