

03.07.2025

Item No.25

Ct.No.02

rc.

Allowed

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

C.R.M. (A) 452 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 Birpara Police Station Case No. 120 of 2023 dated 28.08.2023.

And

In Re : **(1) Suresh Oraon**
 (2) Subhash Nag @ Subhas Nag
 (3) Krishna Toppoyar @ Krishna Toppowar
 (4) Bijay Oraon
 (5) Bijay Nag

... Petitioners

Mr. Arijit Ghosh
Ms. Angana Rakshit

... for the Petitioners

Mr. Saikat Chatterjee
Mr. Chattu Roy

... for the State

The petitioners seek parity with the co-accused who have been granted anticipatory bail earlier.

Learned counsel for the State opposes the prayer.

I have considered the material on record.

The petitioners say that they had raised a protest before the police station demanding justice for the alleged murder of one Monoj Lohar.

It appears from the case diary that the petitioners along with other co-accused who have been granted anticipatory bail have been named by witnesses in their statement recorded under Section 161 of the Code of Criminal Procedure. Injury reports indicate that some police personnel sustained injuries. The petitioners have neither been named, nor identified by the police personnel.

In view of the extent of complicity of the petitioners in the alleged offence and also since co-accused similarly circumstanced with them have been granted anticipatory bail earlier, this Court is inclined to extend the same benefit to the petitioners.

Accordingly, in the event of arrest, the petitioners **(1) Suresh Oraon, (2) Subhash Nag @ Subhas Nag, (3) Krishna Toppoyar @ Krishna Toppowar, (4) Bijay Oraon and (5) Bijay Nag** be released on bail on furnishing bond of Rs.10,000/-(Rupees Ten Thousand only) each, 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 petitioners shall appear before the jurisdictional Court and pray for regular bail within two weeks from date.

The petitioners shall appear before the learned trial Court on every date of hearing. They shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

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.)