

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction
Appellate Side**

**18.08.2025.
Sl. 35
AKG
Ct. 01
Allowed**

CRM (A) 484 of 2025

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 read with Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Sahebganj Police Station Case No. 180 of 2025 dated 06.04.2025 under Sections 126(2)/308(2)/117(2)/ 351(3)/3(3) of the Bharatiya Nyaya Sanhita and subsequently added Section 109 of the Bharatiya Nyaya Sanhita corresponding to G.R. Case No. (1) 186 of 2025 pending before the learned Additional Chief Judicial Magistrate, Dinhata.

And

In the matter of : **Haradhan Barman & Ors.**

... Petitioners

Mr. Sudip Guha

..for the Petitioners

Mr. Ujjwal Luksom,
Mr. Kallol Nag

..for the State

It appears from the medical report that the petitioner was discharged on the same date after receiving treatment at Banarhat BPHC, Cooch Behar.

The subsequent report contained in the case diary appears to have been prepared by a private nursing home.

The State submits that a notice under Section 35(c) of the Bharatiya Nagarik Suraksha Sanhita, 2023, was served upon the petitioners by the Investigating Officer, but the petitioners failed to comply with the same.

In view of the above, the prayer for anticipatory bail is allowed.

Accordingly, the petitioners, namely Haradhan Barman, Kartik Barman @ Kartik Chandra Barman, Tapas Barman @ Tapash Chandra Barman, Prasenjit Barman (son of Dinesh Chandra Barman), and Prasenjit Barman (son of Late Mahendra Nath Barman), in the event of arrest, shall be released on bail upon furnishing a bond of Rs. 5,000/- (Rupees Five Thousand only) each, with two sureties of like amount, to the satisfaction of the learned Additional Chief Judicial Magistrate, Dinhata. The bail is further subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure, 1973, corresponding to Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), and on the additional condition that the petitioners shall meet the Investigating Officer once in a fortnight until the filing of the charge-sheet.

In the event of default in appearance, the jurisdictional court shall be at liberty to take appropriate steps to secure the presence of the petitioners, including cancellation of the anticipatory bail granted herein, without further reference to this Court.

Accordingly, **CRM (A) 484 of 2025** is allowed.

Let an urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on the usual undertakings.

(Kausik Chanda, J.)