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08.07.2025
Ct. No. 2
b.das
Allowed

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

C.R.M. (A) 486 of 2025

In Re : An application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Rajganj Police Station Case No. 95 of 2025 dated 26.03.2025 under Sections 26(2)/118(2)/109/351(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In Re : **Anarul Islam**

...petitioner.

Mr. Saikat Chatterjee

Ms. P. Sarkar

Mr. Karan Paswan

... for the Petitioner.

Mr. Ujjwal Luksom

Mr. Chattu Roy

... for the State.

Heard learned counsels for the parties.

Learned counsel for the petitioner submits that the petitioner was a member of a gang which allegedly assaulted the victim. There was a dispute between the de facto complainant and the petitioner and others with regard to potato cultivation which led to a free fight between the parties. Co accused are on bail/anticipatory bail.

Learned counsel for the State opposes the prayer.

I have perused the material on record. Injuries sustained by the victim are simple in nature. The other assailants/co accused are on bail/anticipatory bail.

Considering the material on record and extent of complicity of the petitioner in the alleged offence, this Court is inclined to hold that custodial interrogation of the petitioner is not necessary and he may be granted anticipatory bail subject to his co operating in investigation.

Accordingly in the event of arrest, the petitioner namely **Anarul Islam** be released on bail upon furnishing a bond of Rs.10,000/-(Rupees Ten Thousand), with two sureties of like amount each, to the satisfaction of the Arresting Officer and also subject to the conditions laid down under Section 482(2) of the BNSS. The petitioner shall appear before the jurisdictional Court and pray for regular bail within two weeks from date. The petitioner shall meet the investigating officer once a week till submission of charge sheet. The petitioner shall remain outside the jurisdiction of Rajganj P.S. except for the purpose of meeting the investigating officer as directed. He shall furnish the address where he shall presently reside before the investigating officer and the Officer in charge of the P.S. under whose jurisdiction he shall henceforth reside.

The application for anticipatory bail is thus disposed of.

Case diary be returned.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

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

(Suvra Ghosh, J.)