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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) 490 of 2025

In Re : An application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Birpara Police Station Case No. 120 of 2023 under Sections 147/148/149/186/332/333/353/307/379/436/204/120B of IPC read with Sections 3/ 4 of the Prevention of Damage to Public Property Act read with Section 9 of the West Bengal Maintenance of Public Order Act.

And

In Re : **Saibal Tirkey & Ors.**

...petitioners.

Mr. Arijit Ghosh

Ms. A. Rakshit

Ms. S. Ghosh

... for the Petitioners.

Mr. Abhijit Sarkar

Mr. Tapan Bhattacharjee

... for the State.

Heard learned counsels for the parties.

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

Learned counsel for the State does not oppose the said fact.

In view of the fact that the petitioners are similarly circumstanced with the co accused who have been granted bail/ anticipatory bail earlier, they deserve the same benefit.

Accordingly in the event of arrest, the petitioners Subal Tirkey, Sachin Das Bara @ Sachin Bara, Hemant

Tirkey @ Hemanta Tirkey, Kamal Toppo (Mahali) @ Kamal Toppo, Salim Hussain & Nitu Lakra (Ekka) be released on bail upon furnishing a bond of Rs.10,000/-(Rupees Ten Thousand) each, 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 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.

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.)