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09.07.2025
Ct. No. 2
b.das
Allowed

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

C.R.M. (A) 499 of 2025

In Re : An application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Jaigaon Police Station Case No. 257 of 2023 dated 24.10.2023 under Sections 304/325/326/34 of the IPC.

And

In Re : **Prasan Lohara @ Prasant Lohara** ...petitioner.

Mr. Sanjay Mazoomdar ... for the Petitioner.

Mr. A. S. Chakraborty
Mr. Biswarup Roy ... for the State.

Heard learned counsels for the parties.

Learned counsel for the petitioner submits that it is the case of the de facto complainant that the victim was assaulted by members of the local club and succumbed to his injuries. The petitioner is not a member of the club. Co accused are on bail. Charge sheet has been submitted.

Learned counsel for the State opposes the prayer.

I have considered the material on record. The petitioner is not named as one of the assailants by the injured witnesses in their statement recorded under Section 164 of the Code of Criminal Procedure. No specific overt act has also been attributed to the petitioner in the alleged incident. Charge sheet has been submitted.

Custodial interrogation of the petitioner is not required. In view of the above, this Court is inclined to grant anticipatory bail to the petitioner.

Accordingly in the event of arrest, the petitioner **Prasan Lohara @ Prasant Lohara** 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 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.)