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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) 505 of 2025

In Re : An application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Dhupguri Police Station Case No. 45 of 2025 dated 31.01.2025 under Sections 126(2)/115(2)/117(4)/105/3(5) of BNS.

And

In Re : **Avijit Roy @ Abhijit Roy & Anr.** **...petitioners.**

Mr. Sudip Guha ... for the Petitioners.

Mr. Kallol Acharjee
Mr. Biswarup Roy ... for the State.

Heard learned counsels for the parties.

It appears from the written complaint that the petitioners and others who were members of the family of the lady whom the son of the de facto complainant married could not accept the said marriage and entered into the house of the de facto complainant and assaulted the victim. The victim succumbed to his injuries later. The post mortem report demonstrates that death of the victim was due to the effects of diseased condition of heart resulting in cardiac tamponade. The petitioners have not been named by the witnesses in their statements recorded under Section 164 of the Code of Criminal Procedure.

Learned counsel for the State opposes the prayer.

Considering the material on record and extent of complicity of the petitioners in the alleged incident, this Court is inclined to hold that the petitioners be granted anticipatory bail.

Accordingly in the event of arrest, the petitioners Avijit Roy @ Abhijit Roy, Tusar Roy @ Tushar Roy and Prasanta Roy 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 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.)