

09.07.2025

Item No.36

Ct.No.02

rc.

Allowed

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (A) 504 of 2025

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with New Jalpaiguri Police Station Case No. 1131 of 2024 dated 01.11.2024.

And

In Re : **Md. Ijjaj @ Md. Sikandar**

... Petitioner

Mr. Sudip Guha
Mr. Saikat Chatterjee
Ms. Purbasha Sarkar
Mr. Karan Paswan

... for the Petitioner

Mr. Kallol Acharjee
Mr. Chattu Roy

... for the State

Mr. Debajit Kundu

...for the defacto complainant

Heard learned counsels for the parties.

Though it is alleged that the victim was assaulted by ten persons including the petitioner herein on November 01, 2024 and succumbed to his injuries on November 02, 2024, the post mortem report indicates that the victim sustained ante-mortem injuries 5-7 days prior to his death. No other external injury could be detected after careful examination. Some of the co-accused are on bail. The principal accused is

in custody. Charge sheet has been submitted. Statement of independent witness recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023 does not implicate the petitioner. No specific overt act has been attributed to him.

In view of the above and considering the extent of complicity of the petitioner in the alleged offence, this Court is inclined to grant anticipatory bail to the petitioner.

Accordingly, in the event of arrest, the petitioner **Md. Ijjaj @ Md. Sikandar** be released on bail on furnishing bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer and subject to provision under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023. 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.

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

(Suvra Ghosh, J.)