

24.07.2025
Item No. 11
Ct. No. 03
RUP

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

Partly
Allowed

C.R.M.(A) 540 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Rajganj** Police Station Case No. **137** of **2025** dated **05.05.2025** under Sections **118(2)/ 3(5) and 329(3)** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of : Sunil Roy & Ors.

..... petitioner

Mr. Kunaljit Bhattacharjee,
Mr. Alok Sah

....for the petitioners

Mr. Tapan Bhattacharjee,
Mr. Chattu Roy.

....for the State

Mr. Sourav Sarkar. For the de facto complainant.

1. Learned counsel appearing on behalf of the petitioners has submitted that the case was put into motion by a complaint with all false allegations and as a counter-blast to the case which has already been initiated by opposite party with reference to Rajganj Police Station Case No. 451/2023 dated 10.09.2023.
2. Learned counsel appearing on behalf of the de facto complainant has submitted that there is long standing dispute between the parties and the accused person has severely assaulted the victim i.e. son and caretaker of the de facto complainant, thereby causing grievous injury.

3. Learned counsel appearing on behalf of the State has submitted that there is sufficient evidence collected during investigation including injury reports to prima facie make out a case against the petitioners and accordingly opposes the prayer for anticipatory bail.
4. On careful perusal of the injury reports, I find hardly any reason to allow the anticipatory bail in respect of petitioner no.1/Sunil Roy, petitioner no.2/Niren Roy and petitioner no.4/ Pranab Roy.
5. Therefore, the prayer for anticipatory bail in respect of **petitioner no.1/Sunil Roy, petitioner no.2/Niren Roy** and **petitioner no.4/ Pranab Roy** stands rejected.
6. However, I am inclined to grant anticipatory bail to **petitioner no.3/Smt. Karuna Roy.**
7. Accordingly, the petitioner no.3/ Smt. Karuna Roy is being enlarged on bail upon furnishing bond of Rs.10,000/- each (Rupees Ten Thousand Only) with one surety to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 482(2) of the BNSS and on condition that the petitioner shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

8. As a sequel, the application being **C.R.M. (A) 540 of 2025** stands disposed of.
9. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.
10. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance of the requisite formalities.

(Bibhas Ranjan De. J.)