

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

**20.08.2025.
20
Suman
Ct. 01
Allowed**

CRM (A) 546 of 2025

In re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Siliguri Police Station Case No.451 of 2025 dated 09.07.2025 under Sections 190/191(2)/191(3)/132/221/121(1)/121(2)/115(2)/117(2)/351(2) of the Bharatiya Nyaya Sanhita and corresponding to G.R. Case No.3688 of 2025.
And

In the matter of : **Rakesh Agarwal and Ors.**
... petitioners

Mr. Sudipto Kumar Mazumder, Sr. Adv.
Mr. Sudip Kumar Paul
Mr. S. Dutta
..for the petitioners

Mr. Nilay Chakraborty
Mr. Bhaskar Das
..for the State

The petitioners have been implicated in the present case in connection with an alleged incident that took place on July 9, 2025 at Bagrakote, Siliguri.

It appears that five individuals have already been apprehended by the Investigating Agency in relation to the said incident.

Learned counsel appearing on behalf of the State opposes the prayer for bail and relies on the statements recorded under Section 161 of the Code of Criminal Procedure by the Investigating Agency. However, the

statement recorded under Section 164 does not attribute any specific role to the petitioners.

Having regard to the nature of the offence and the materials on record, I am of the considered view that custodial interrogation of the petitioners is not warranted.

Accordingly, the prayer for anticipatory bail is **allowed.**

It is directed that in the event of arrest, the petitioners, namely **Rakesh Agarwal, Prasanta Sarkar, Krishna Saha @ Krishna Shah @ Krishna Sha,** and **Kishan Agarwal @ Kishan Lal Agarwal,** shall be released on bail upon furnishing a bond of Rs. 5,000/- (Rupees Five Thousand only) each, with two sureties of like amount each, to the satisfaction of the learned Additional Chief Judicial Magistrate, Siliguri.

The grant of anticipatory bail shall be subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure, 1973, corresponding to Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), and further subject to the condition that the petitioners shall appear before the jurisdictional court on each date fixed for their appearance.

The petitioners shall also report to the Investigating Officer once in a fortnight until further orders.

In the event of default in appearance, the jurisdictional court shall be at liberty to take appropriate steps to secure the presence of the petitioners, including cancellation of the anticipatory bail granted herein, without further reference to this Court.

Accordingly, **CRM (A) 546 of 2025** is disposed of.

Let an urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on the usual undertakings.

(Kausik Chanda, J.)