

19.08.2025.
Sl. 47
AKG
Ct. 01
Allowed

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

CRM (A) 600 of 2025

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Tufanganj Police Station Case No. 495 of 2021 dated 02.08.2021 under Sections 447/325/326/354/307/506/34 of the Indian Penal Code, 1860, pending before the Additional Chief Judicial Magistrate, Cooch Behar.

And

In the matter of : **Mithun Sarkar @ Sanjay Sarkar**
... Petitioner

Mr. Aniruddha Biswas,
Mr. Subham Chanda,
Ms. Kanak Mishra,
Mr. Monoj Saha

..for the Petitioner

Mr. Kallol Acharjee,
Mr. Chattu Roy

..for the State

The learned advocate appearing on behalf of the State opposes the prayer for anticipatory bail.

The nature of the injury sustained by the victim appears to be simple. The charge-sheet has already been submitted, and the other accused persons are presently on bail.

Having regard to the extent of the petitioner's alleged involvement in the commission of the offences, I am of the considered view that custodial interrogation is not necessary at this stage.

Accordingly, the prayer for anticipatory bail is allowed.

In view of the aforesaid circumstances, it is directed that the petitioner, namely Mithun Sarkar @ Sanjay Sarkar, in the event of his arrest, shall be released on bail upon furnishing a bond of ₹5,000/- (Rupees Five Thousand only), with two sureties of like amount, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Tufanganj. The grant of bail shall be subject to the conditions prescribed under Section 438(2) of the Code of Criminal Procedure, 1973, corresponding to Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), and further subject to the condition that the petitioner shall appear before the jurisdictional court on each and every date fixed for appearance of the accused.

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

Accordingly, **CRM (A) 600 of 2025** stands allowed.

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.)

