

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

21.11.2025
Item No. 05 (DL)
AN

(REJECTED)

C.R.M. (A) 617 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Dinhata P.S. Case No. 343 of 2023 dated 06.07.2023 under Section 302/34 of the Indian Penal Code corresponding to GR Case No. 382 of 2023 pending before the learned Additional Chief Judicial Magistrate, Dinhata.

In the matter of : **Nur Islam Miya @ Nur Islam**
... Petitioner.

Mr. Sudip Guha
Mr. Ananda Paul
Ms. Ankita Nag

...for the Petitioner.

Mr. Aditi Shankar Chakraborty, ld. APP
Mr. Aniruddha Biswas

...for the State.

1. Learned advocate for the petitioner submits that the petitioner is the brother of the deceased. Over long standing family disputes, on the date of incident, an assault took place, in which the victim sustained injuries and died. There are no specific allegations against the petitioner. The other brother viz. Nur Alam Hoque @ Nur Alam Miya has been granted anticipatory bail by this Court in CRM(A) 162 of 2024 on 11th March, 2024. On completion of investigation, charge sheet has been submitted. This petitioner stands on the same footing. He seeks for grant of anticipatory bail in favour of the petitioner.

2. On the contrary, opposing such prayer for anticipatory bail, learned Additional Public Prosecutor representing the State submits that this petitioner is named by the witnesses in the statement recorded under Sections 164 and 161 of the Code of Criminal Procedure to be the principal assailant. He seeks for dismissal of the application for anticipatory bail.
3. Perused the case diary and the materials on record.
4. In the statement recorded under Sections 164 and 161 of the Code of Criminal Procedure, there are specific allegations against this petitioner of assaulting the victim on the date of incident by a sharp cutting weapon. As per the post mortem report, the death was due to effect of injuries sustained therein which is ante mortem in nature. Considering the aforesaid materials and the nature and gravity of offence, I am not inclined to grant anticipatory bail in favour of the petitioner.
5. Thus, the prayer for anticipatory bail is rejected.
6. The application being **CRM(A) 617 of 2025** stands dismissed.

(Bivas Pattanayak, J.)

