

09.09.2025
Sl. no. 37
Ct. No. 3
P.M.
(Allowed)

**Calcutta High Court
In The Circuit Bench at Jalpaiguri**

C.R.M. (A) 656 OF 2025

In re : An application for anticipatory bail under Section 482 of the of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Phansidewa Police Station Case No. 332 of 2025 dated 26.07.2025, under Sections 329(3)/115(2)/64/62/324(4)/3(5) of the Bharatiya Nyaya Sanhita, 2023 corresponding to PTN 3918 of 2025.

In the matter of : **Md. Tajuddin @ Md. Tajo**

... petitioner

Mr. Hillol Saha Poddar

.....for the Petitioner.

Mr. Sourav Ganguly,

Mr. Kallol Nag

.....for the State.

Mr. Debasish Mukhopadhyay,

Ms. Madhushri Dutta

... for the defacto complainant

1. Learned counsel for the petitioner submits that some scuffle took place between the accused persons and labourer of the tea estate which lead the defato complainant to file a false complaint
2. Learned counsel for the defacto complainant has opposed the application on the ground that the petitioner has bad criminal antecedents and he badly assaulted and molested the victim.

3. Learned counsel for the State has fairly submitted that in the statement under Section 164 Cr.P.C. the victim had only made allegations of assault and injuries and there was no allegations of rape.
4. Learned counsel for the State also submitted that the defacto complainant refused to undergo medical examination.
5. Thus taking into the facts and circumstances of this case, if Investigating Officer feels necessary of effecting the arrest of the petitioner he be admitted to anticipatory bail by furnishing personal bond of Rs. 10,000/- (Rupees ten thousand only) with two sureties of like amount each, one of whom shall be local, to the satisfaction of the Investigating Officer, subject to the conditions that the petitioner shall not enter the jurisdiction of Phansidewa Police Station and subject to the condition as laid down under Section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and subject to the condition that the petitioner shall join the investigation as and when directed by I.O.

and on further condition not to threaten or intimidate witnesses and to attend the jurisdictional Court on dates fixed.

6. The application for anticipatory bail being CRM (A) 656 of 2025 is, thus, allowed.
7. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Dinesh Kumar Sharma, J.)