

17.11.2025
Item no.44
Court No.3
ss
(Allowed)

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (A) 679 of 2025

In Re:- An application for anticipatory bail under Section 482 of BNSS, 2023 in connection with Jaigaon P.S. Case No.107 of 2025 dated 30.05.2025 under Section 126(2)/115(2)/109(1)/64(1)/61(1)/3(5) of the Bharatiya Nyaya Sanhita, 2023.

In the matter of : **Sushanta Barun Jha**
... Petitioner.

Mr. Hillol Saha Podder
Ms. Mousumi Das
...for the Petitioner.

Mr. Ujjwal Luksom
Mr. Sagnik Sankar Sikdar
.....for the State.

Mr. Sanjay Mazoomdar
Mr. Nikchen Tamang
... for the opposite party no.2.

1. Learned Advocate for the petitioner submits that the petitioner has been falsely implicated in this case. There are previous criminal cases initiated at the instance of the parties. The petitioner is a student. He seeks for grant of anticipatory bail to the petitioner.
2. Opposing such prayer for anticipatory bail learned Advocate for the State submits that the investigation is under progress and *prima facie* materials has been collected by the investigating agency against the

petitioner. He seeks for dismissal of the application for anticipatory bail.

3. Learned Advocate for the opposite party no.2 submits that previously a complaint was lodged in the year 2022 against the petitioner for throwing stones on the gate of the victim and also of threatening. He seeks for dismissal of the application. He files photocopy of the said complaint, which is taken on record.
4. Perused the case diary and the materials on record.
5. It is not in dispute that there are previous criminal litigations by and between the parties. The victim, in her statement under Section 164 Cr.P.C., states of threatening, rape and theft. Be that as it may, the victim has refused to undergo medical examination. Considering the above circumstances, I am inclined to allow the prayer of the petitioner for anticipatory bail.
6. Accordingly, in the event of arrest the petitioner namely, **Sushanta Barun Jha** shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of BNSS, 2023.
7. Thus the application for anticipatory bail is allowed.
8. **CRM (A) 679 of 2025** stands disposed of.

(Bivas Pattanayak, J.)