

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

17.11.2025
59 (DL)
AN
(Allowed)

C.R.M. (A) 713 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Pradhan Nagar Police Station Case No. 63 of 2008 corresponding to G.R. Case No. 397 of 2008 dated 09.04.2008 under Sections 147 / 148 / 149 / 153A / 186 / 332 / 333/ 325 / 326/ 337 / 338 / 353/ 307 / 427 of the Indian Penal Code, 1860 read with Section 3 of the PDPP Act pending before the learned Additional Chief Judicial Magistrate at Siliguri.

In the matter of : **Sri Bharta Singh Rai @ B. S. Rai & ors.**
... Petitioners.

Mr. Subham Ghosh
Mr. Mayank Roy

...for the Petitioners.

Mr. Aditi Shankar Chakraborty, ld. APP
Dr. Arjun Chowdhury

...for the State.

1. Learned advocate for the petitioners submits that the present case has resulted in relation to an agitation which took place in the year 2008. Initially 11 persons have been named in the F.I.R. with others. Upon after completion of investigation, charge sheet has been submitted against 42 persons. The persons who were arrested on the date of incident were granted bail. The co-accused have been granted anticipatory bail by this Hon'ble Court in CRM(A) 515 of 2025 on 25th July 2025. The present petitioners are on the same footing. He seeks for grant of anticipatory bail in favour of the petitioners.

2. On the contrary, opposing such prayer for anticipatory bail, learned advocate for the State submits that in the said incident, the petitioners assaulted and obstructed the Police Personnel in discharging their functions. He seeks for dismissal of the anticipatory bail application.
3. Perused the case diary and the materials on record.
4. It is found that upon completion of investigation, charge sheet has been submitted in this case. Three of the co-accused viz. Nawraj Limbu, Man Bahadur Birsa and Lalit Bahadur Limbu were granted bail in CRM(A) 515 of 2025 on 25th July 2025. The present petitioners stand on the same footing. Thus, I am inclined to grant anticipatory bail in favour of the petitioners.
5. Accordingly, in the event of arrest, the petitioners viz. **Sri Bharta Singh Rai @ B. S. Rai; Sri Mani Raj Rai; Sri Prem Bahadur Chhetri; Sri Ramesh Allay and Sri Dil Kumar Gurung** be released on bail upon furnishing a bond of Rs. 10,000/- each (Rupees Ten Thousand only) with one surety to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 482(2) of the BNSS and on further condition that the petitioners shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including

cancelling the anticipatory bail granted without further reference to this Court.

6. Thus, the application for anticipatory bail is allowed.
7. **CRM(A) 713 of 2025** stands disposed of.
8. Urgent Photostat certified copy of this order, if applied for, be made available to the parties upon compliance of all requisite formalities.

(Bivas Pattanayak, J.)