

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

17.11.2025
73 (DL)
AN
(Allowed)

C.R.M. (A) 731 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 : **Nirmal Subba**

... Petitioner.

Mr. Prajwal Gurung
Mr. Brijesh Pradhan

...for the Petitioners.

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

...for the State.

1. Learned advocate for the petitioner submits that the present case has resulted in relation to an agitation which took place in the year 2008. Initially 11 persons were named in the F.I.R. with others. Upon 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 petitioner.

2. On the contrary, opposing such prayer for anticipatory bail, learned advocate for the State submits that in the said incident, the petitioner 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 petitioner stands on the same footing. Thus, I am inclined to grant anticipatory bail in favour of the petitioner.
5. Accordingly, in the event of arrest, the petitioner viz. **Nirmal Subba** 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 petitioner 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 petitioner 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) 731 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.)