

19.09.2025
Sl. No.02
Ct. 28
NB

Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Side

C.R.M. (A) 746 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Dinhata PS Case No.404/2025 dated 08.08.2025 under Sections 353/351(3) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Nandan Das

... petitioner

Mr. Sourav Mondal,
Mr. Archan Dutta,
Mr. Arijit Bhuiya,
Mr. Rony Mondal.

...for the petitioner.

Mr. Ujjwal Luksom,
Mr. Sagnik Shankar Shikdar.

...for the State (though vc).

Learned counsel appearing on behalf of the petitioner submits that no case under Section 353 of the BNS is made out, even prima facie, as would be evident from a plain reading of the First Information Report. The petitioner has been falsely implicated in this case.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail and relies on the case diary.

Considering the nature of allegations and the materials available in the case diary, I do not think that custodial interrogation of the petitioner is required in this case and I am inclined to grant anticipatory bail to the present petitioner.

Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that petitioner shall cooperate with the investigation and shall meet the Investigating Officer as and when required and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever.

The application for anticipatory bail being **C.R.M. (A) 746 of 2025** is, thus, allowed.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)