

24.11.2025
Item no. 17 (DL)
Court No.3
AN
(Allowed)

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

C.R.M. (A) 747 of 2025

In Re:- An application for anticipatory bail under Section 482 of BNSS, 2023 in connection with **Mathabhanga P.S. Case No. 877 of 2024 dated 21.11.2024** under Sections 126(2), 115(2), 117(2), 109(1), 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023 corresponding to G.R. Case No. 1960 of 2024.

In the matter of : **Nijanur Mia @ Habul Mia**

... Petitioner.

Mr. Subhasish Misra
Mr. Satyajit Paul
Mr. Rounak Ghosh

...for the Petitioner.

Mr. Tapan Bhattacharjee
Mr. Dhiman Sil

...for the State.

1. Learned advocate for the petitioner submits that out of free fight, the victim sustained injuries. The victim has been discharged after one day from hospital. There are no serious injuries. One of the co-accused has been granted anticipatory bail by the learned Sessions Judge, Coochbehar. On completion of investigation, charge sheet has been submitted. He seeks for grant of anticipatory bail in favour of the petitioner.
2. Opposing such prayer for anticipatory bail, learned advocate for the State submits that there are specific allegations against this petitioner of assaulting the victim resulting in scalp injury and

he seeks for dismissal of the prayer for anticipatory bail application.

3. Perused the case diary and the materials on record.
4. It is found that the victim was assaulted on the date of incident by both the accused persons. One of the co-accused has been granted anticipatory bail by the learned Sessions Judge, Coochbehar. The victim sustained scalp cut injury and has been discharged after one day. On completion of investigation, charge sheet has been submitted. Considering the above, I am inclined to grant anticipatory bail to this petitioner.
5. Accordingly, in the event of arrest, the petitioner, namely **Nijanur Mia @ Habul Mia** 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 the arresting officer and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 / 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023, until further orders and on further condition that the petitioner shall appear before the learned Trial Court on each and every date fixed.
6. In case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code / Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.
7. This application for anticipatory bail is, thus, allowed.

8. **CRM (A) 747 of 2025** stands disposed of.
9. 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.)