

25.11.2025
Item no.21(DL)
Court No.3
srm
(Allowed)

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

C.R.M. (A) 785 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023/438 of the Code of Criminal Procedure, 1973 in connection with Mekhliganj P.S. Case No.239 of 2021 dated 13.08.2021 under Sections 489B/489C of the Indian Penal Code, 1860.

In the matter of : **Rasidul Miah**

... Petitioner.

Mr. Hillol Saha Podder

...for the Petitioner.

Mr. Aditi Shankar Chakraborty, APP

Mr. Subhasish Misra

...for the State.

1. Learned Advocate for the petitioner submits that the petitioner was not named in the FIR. The name of the petitioner has transpired from the statement of the co-accused. There was no such recovery from the exclusive possession of this petitioner during the course of investigation. Upon completion of investigation, charge sheet has been submitted. He seeks for grant of anticipatory bail in favour of the petitioner.
2. Learned Advocate for the State opposes such prayer for anticipatory bail.
3. Perused the case diary and the materials on record.

4. It is found that the petitioner was not named in the FIR. Two persons were apprehended on the date of incident from whom two currency notes of denomination of Rs.2,000/- each were recovered. The name of the petitioner has transpired from the statement of the co-accused. During the course of investigation, there is no such recovery from the possession of the petitioner. Upon completion of investigation charge sheet has been submitted against this petitioner and two others under Sections 489B/489C of the Indian Penal Code. Considering the above, I am inclined to grant the prayer of the petitioner for anticipatory bail.
5. Accordingly, in the event of arrest the petitioner namely **Rasidul Miah** 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 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and shall meet the Investigating Officer of the concerned police station once in a fortnight until further orders and shall attend the Court on the dates fixed for appearance and hearing.

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) 785 of 2025** stands disposed of.

(Bivas Pattanayak, J.)