

22.12.2025
Court No.01
Item No.10
Avijit Mitra

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH
AT JALPAIGURI**

CRM (A) 796 of 2025

In Re:- An application under Section 482 of the
Bharatiya Nagarik Suraksha Sanhita, 2023;
And

In Re: Bappa Miah

-Petitioner

Mr. Sudip Guha
...for the Petitioner
Mr. Nilay Chakraborty, Id. APP,
Mr. Biswarup Roy
...for the State

Apprehending arrest in connection with Sahebganj Police
Station Case No.394 of 2025 dated 12.07.2025 under Sections
85/109/82(1) of the Bharatiya Nyaya Sanhita, 2023 read with
Sections 3/4 of the Dowry Prohibition Act, the present
application has been preferred.

Mr. Guha, learned advocate appearing for the petitioner
submits that the dispute pertains to an incident which occurred
about 7 years after the marriage. Such alleged fact was reported
by way of a complaint about eight months after the alleged
incident. The *de facto* complainant is residing at her paternal
house in village Baniadaha. No specific overt act has been
attributed to the petitioner and upon completion of investigation
chargesheet has been submitted.

Mr. Chakraborty, learned Additional Public Prosecutor
appearing for the State opposes Mr. Guha's prayer and draws

the attention of this Court to the injury report and the statements of the witnesses.

Having heard the learned advocates and considering the materials in the case diary, the nature of accusations, the injury report and the extent of complicity of the petitioner in the alleged offence, I am of the opinion that custodial interrogation of the petitioner is not necessary.

Accordingly, I direct that in the event of arrest the petitioner, namely, **Bappa Miah** 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 subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita with a further condition that the petitioner shall not enter the jurisdiction of Baniadaha village until further orders.

The application for anticipatory bail, being CRM (A) 796 of 2025, is disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Tapabrata Chakraborty, J.)