

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

16.12.2025

Court No.01
rpan/04

CRM (A) 803 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 438 of the Code of Criminal Procedure);

And

In Re: Maksedul Baksi & 4 Others

- Petitioners.

Mr. Sudip Guha
...for the Petitioners.

Mr. Nilay Chakraborty,
Mr. Biswarup Roy
...for the State.

Apprehending arrest in connection with Dinhata Police Station Case no.223 of 2025 dated 04.05.2025 under Sections 329(4)/324(4)/115(2)/117(2)/118(2)/109(1)/74/303(2)/351(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023, the present application has been preferred.

Mr. Guha, learned advocate appearing for the petitioners submits that there was a free fight between the parties and the petitioners have been falsely implicated. No overt act has been attributed to the petitioners. The allegations are omnibus in nature. The complaint lodged belatedly about four days after the alleged incident. In the said conspectus, custodial interrogation of the petitioners may not be necessary.

Such prayer has been opposed by Mr. Chakraborty, learned Additional Public Prosecutor appearing for the State, drawing my attention to several documents in the case diary, including the injury report.

Heard the learned advocates appearing for the respective parties.

Considering the nature of allegations, the statement of the witnesses, the injury report, the extent of complicity of the petitioners in the alleged offence, I am not inclined to exercise discretion in their favour, moreso when, investigation is not yet complete.

The application for anticipatory bail, being CRM (A) 803 of 2025, is dismissed.

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

(Tapabrata Chakraborty, J.)