

25.11.2025
Item no.46
Court No.3
ss
(Allowed)

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

CRM (A) 810 of 2025

In Re:- An application for anticipatory bail under Section 482 of BNSS in connection with G.R. Case No.910 of 2025 arising out of Falakata Police Station Case No.257 of 2025 dated 23/05/2025 under Sections 108/3(5) of the Bhartiya Nyaya Sanhita, 2023 corresponding to Falakata Police Station Charge Sheet No.399 of 2025 dated 20/08/2025 under Section 108/3(5) of the Bharatiya Nyaya Sanhita, 2023 pending before the learned Additional Chief Judicial Magistrate at Alipurduar.

In the matter of : **Kanak Das @ Kanojit Das @ Kanjit Das
& anr.**

... Petitioners.

Ms. Esha Acharya
Mr. Sampad Das
Mr. Rimik Chakraborty

... for the petitioners

Mr. Bhaskar Das
Ms. Sukanya Adhikary

.....for the State.

1. Learned Advocate for the petitioners submit that there are no direct allegations against these petitioners. Over a dispute between the principal accused and the deceased victim with regard to repairing of a motorcycle, the principal accused threatened the deceased victim. Subsequent thereto the victim committed suicide. The petitioners only accompanied the principal accused to the house of the victim on the date of incident. Upon completion of investigation, charge-sheet has

been submitted. She seeks for grant of anticipatory bail to the petitioners.

2. Learned Advocate for the State opposes such prayer for grant of anticipatory bail in favour of the petitioners.
3. Perused the case diary and the materials on record.
4. It is found from the statement of the witnesses recorded under Section 161 Cr.P.C. that these petitioners accompanied the principal accused to the house of the victim. There are no such specific allegations against these petitioners of abetment. As per the post mortem report, the victim died due to effect of hanging, which is ante mortem in nature. Considering the above, I am inclined to grant the prayer of the petitioners for anticipatory bail.
5. Accordingly, in the event of arrest the petitioners namely **Kanak Das @ Kanojit Das @ Kanjit Das** and **Sanjit Biswas @ Sanjit Das** shall be released on bail upon furnishing a bond of Rs.10,000/- each 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 Section 482(2) of BNSS and shall meet the Investigating Officer once in a fortnight, until further order. The petitioners shall attend the court on the date fixed for appearance.
6. In default the jurisdictional Court shall pass appropriate order to secure the presence of the petitioners in Court

including cancelling the anticipatory bail granted without further reference to this Court.

7. This application for anticipatory bail is allowed.
8. ***CRM (A) 810 of 2025*** is, thus, disposed of.

(Bivas Pattanayak, J.)