

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

15.12.2025

Court No.01
rpan/19

CRM (A) 811 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: Kamal Das

- Petitioner.

Mr. Sudip Guha

...for the Petitioner.

Mr. Nilay Chakraborty,

Mr. Sourav Ganguly

...for the State.

Leave is granted to Mr. Guha, learned advocate appearing for the petitioner to correct the cause title of the present application.

Apprehending arrest in connection with Sahebganj Police Station Case no.519 of 2025 dated 05.09.2025 under Sections 85/117(2)/109(1) of the Bharatiya Nyaya Sanhita, 2023 and 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 petitioner has been falsely implicated pertaining to an alleged incident which occurred three years after the marriage. The allegations levelled are omnibus in nature. The other accused persons have already been granted anticipatory bail by the learned Sessions Judge, Cooch Behar. Upon completion of investigation, chargesheet has also been submitted and as such, custodial interrogation of the petitioner may not be necessary.

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

my attention to several documents in the case diary as well as the injury report.

Having heard the learned advocates appearing for the respective parties and considering the materials on record, particularly, the injury report, the nature of accusations 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, moreso when, upon completion of investigation chargesheet has been submitted.

Accordingly, I direct that in the event of arrest the petitioner, namely, **Kamal Das** 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, 2023.

It is further directed that the petitioner shall not intimidate/influence the witnesses or tamper with evidence in any manner whatsoever.

It is made clear that in the event the petitioner fails to comply with the aforesaid directions without any justifiable cause, the learned trial court would be at liberty to cancel his bail without any further reference to this Court.

The application for anticipatory bail, being CRM (A) 811 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.)

