

27.11.2025
Item no.17
Court No.3
ss
(Rejected)

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

CRM (A) 818 of 2025

In Re:- An application for anticipatory bail under Section 482 of BNSS, 2023 corresponding to Section 438 of Code of Criminal Procedure, 1973 in connection with NJP P.S. Case No.125 of 2025 dated 01.03.2025 under Sections 126(2), 117(2), 118(2), 109, 304(2), 3(5) adding Section 103(1) of BNS in connection with C.M.C. Case No.1460/2025.

In the matter of : Bablu Roy

... Petitioner.

Ms. Seema Agarwal
Mr. Faij Ahmed

...for the Petitioner.

Mr. Ujjwal Luksom
Ms. Sukanya Adhikary

.....for the State.

1. Petitioner renews his prayer for anticipatory bail. The earlier application for anticipatory bail being CRM (A) 227 of 2025 was rejected on 11th April, 2025 and another application for anticipatory bail being CRM (A) 516 of 2025 was dismissed for default on 18th August, 2024.
2. Learned Advocate for the petitioner submits that there are no such specific allegations against this petitioner. At the time when the earlier application for anticipatory bail was pressed into service before this Hon'ble Court the other co- accused were not granted bail. Upon completion of investigation charge-sheet has been submitted. She seeks for grant of anticipatory bail in favour of the petitioner.

3. Learned Advocate for the State, opposing such prayer for anticipatory bail, submits that as per statement of the witnesses there are specific allegations against this petitioner of assaulting the victim which resulted in grievous injury and ultimately, the victim expired. Further there is no change of circumstances since the order of rejection was passed in the earlier application for anticipatory bail. He seeks for dismissal of the application for anticipatory bail of the petitioner.
4. Perused the case diary and the materials on record.
5. The statements of the witnesses recorded under Section 164 as well as Section 161 Cr.P.C. implicate this petitioner of his involvement in assaulting the victim on the date of incident by sharp cutting weapon. The victim sustained grievous injury and succumbed to injuries and died. The post mortem report records that the death of the victim was due to effect of *ante mortem* injury as noted therein. Moreover, considering the statement of the witnesses and *prima facie* incriminating materials in the earlier application for anticipatory bail, this Court rejected the prayer of the petitioner in CRM (A) 227 of 2025. There is no change in circumstances. Considering the above, I am not inclined to grant anticipatory bail in favour of the petitioner.
6. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.
7. The application being **CRM (A) 818 of 2025** stands dismissed.

(Bivas Pattanayak, J.)