

26.11.2025
Item no. 30 (DL)
Court No.3
AN
(Partly Allowed)

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

C.R.M. (A) 825 of 2025

In Re:- An application for anticipatory bail under Section 482 of BNSS, 2023 in connection with Falakata P.S. Case No. 451 of 2025 dated 10.09.2025 under Sections 3(5), 329(3), 117(2), 74, 351(2) adding Section 325 / 118(2) of BNS, 2023 read with Section 11 of Prevention of Cruelty to Animal Act corresponding to G.R. Case No. 1812 of 2025 pending before the learned Chief Judicial Magistrate, Alipurduar.

In the matter of : **Ramapada Roy & ors.**

... Petitioner.

Mr. Sayantan Bhowmick
Ms. Sayantani Das

...for the Petitioner.

Mr. Ujjwal Luksom
Mr. Aniruddha Biswas

...for the State.

1. On the prayer of the learned advocate for the petitioner, leave is granted to correct the necessary details in respect of petitioner no. 5, Durga Roy and petitioner no. 6, Ekadashi Mandal @ Roy in the cause title of the application.
2. Learned advocate for the petitioners submit that the F.I.R. has been initiated out of long standing dispute. Previously, the petitioner no. 5 has lodged a complaint before the Superintendent of Police, Alipurduar with the allegation of criminal trespass against the complainant

and in counter to the same the petitioners have been falsely implicated. He seeks for grant of anticipatory bail in favour of the petitioners.

3. Opposing such prayer for anticipatory bail, learned advocate for the State submits that the victim sustained grievous injuries in the said incident. He seeks for dismissal of the anticipatory bail application of the petitioners.
4. Perused the case diary and the materials on record.
5. It is found that in the said incident, three persons sustained injury. Out of the three injured, one of the injured sustained lacerated injuries on the left parietal region, temporal bone fracture and condylar head fracture and the nature of injury is grievous.
6. Considering the allegations as against the male petitioner nos. 1, 2 and 3 of assaulting the injured persons, I am not inclined to grant the prayer for anticipatory bail of petitioner nos. 1, 2 and 3 and the same stands rejected. So far the petitioner nos. 4, 5 and 6 are concerned they are female persons and there are no such specific allegations against them and as such, I am inclined to extend the benefit of anticipatory bail in favour of petitioner nos. 4, 5 and 6.
7. Accordingly, in the event of arrest petitioner no. 4, namely **Saraswati Roy**; petitioner no. 5, namely **Durga Roy** and petitioner no. 6, namely **Ekadashi Mandal @ Roy** shall be

released on bail upon furnishing a bond of Rs.10,000/- 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 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023. The petitioner nos. 4, 5 and 6 are directed to cooperate with the Investigating Officer.

8. This application for anticipatory bail is, thus, allowed in part.
9. **CRM (A) 825 of 2025** stands disposed of.
10. Urgent Photostat certified copy of this order, if applied for, be made available to the parties upon compliance of all requisite formalities.

(Bivas Pattanayak, J.)