

24.12.2025
Court No.01
Item No.02
Avijit Mitra

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

CRM (A) 841 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973;

And

In Re: Siben Das @ Sibenchandra Das

-Petitioner

Mr. Sudhindra Das

...for the Petitioner

Mr. Ujjwal Luksom,

Ms. Namrata Das

...for the State

Apprehending arrest in connection with Tufanganj Police Station Case No.1004 of 2023 dated 18th November, 2023 under Sections 341/323/376/511/34 of the Indian Penal Code, the present application has been preferred.

Mr. Das, learned advocate appearing for the petitioner submits that the petitioner is aged about 65 years. On the rudiments of unfounded allegations, the petitioner has been falsely implicated. A complaint was lodged by the wife of the petitioner on 9th November, 2023 and the *de facto* complainant approached the police authorities and lodged the police complaint on 18th November 2023 as a counterblast. In the said conspectus and as upon completion of investigation chargesheet has been submitted, the petitioner may be granted anticipatory bail moreso when there is no possibility that petitioner shall flee from justice.

Mr. Luksom, learned advocate appearing for the State opposes the petitioner's prayer drawing the attention of this

Court to the statements of the witnesses and submits that the involvement of the petitioner in the alleged offence cannot be totally ruled out.

Heard the learned advocates appearing for the respective parties.

Considering the nature of accusations, the fact that an earlier complaint was lodged by the petitioner's wife against the *de facto* complainant herein and the extent of complicity of the petitioner in the alleged offence, I am of the opinion that petitioner is entitled to anticipatory bail. However, his movement needs to be restricted.

Accordingly, I direct that in the event of arrest the petitioner, namely, **Siben Das @ Sibenchandra 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 with a further condition that the petitioner shall not enter the jurisdiction of Tufanganj Police Station until further orders except for attending the court below on the dates of hearing.

It is made clear that in the event the petitioner fails to comply with any of the aforesaid directions, without justifiable cause, the learned Court below shall be at liberty to cancel the petitioner's bail without any further reference to this Court.

The application for anticipatory bail, being CRM (A) 841 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.)