

24.12.2025
Court No.01
Item No.03
Avijit Mitra

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

CRM (A) 856 of 2025

In Re:- An application under Section 482 of the
Bharatiya Nagarik Suraksha Sanhita, 2023;

And

In Re: Sanjib Roy

-Petitioner

Mr. Jaydeep Kanta Bhowmik,
Mr. Sayantan Bhowmik,
Mr. Subham Kumar,
Ms. Sayantani Das
...for the Petitioner
Mr. Biswarup Roy
...for the State

Apprehending arrest in connection with Malbazar Police
Station Case No.504 of 2025 dated 04.11.2025 under Sections
115(2)/316(2)/318(4) of BNS, 2023, the present application has
been preferred.

Mr. Bhowmik, learned advocate appearing for the
petitioner submits that the petitioner is a sub-broker and the
complainant invested a large sum of money in share trading but
he suffered huge loss. The complaint was thereafter lodged
exaggerating the incident. As the same was not being treated as
FIR, the complainant preferred an application under Section
156(3) of the Code of Criminal Procedure and pertaining to the
order passed in the same, the complaint was registered as FIR.
The dispute has a civil profile and the petitioner has been falsely
implicated. The allegations levelled are absolutely unfounded
and in the said conspectus custodial interrogation may not be
necessary.

Considering the submission of Mr. Bhowmik that no notice under Section 35(3) BNS was served upon the petitioner, this Court directed the petitioner to appear before the investigating officer and the State was directed to file a report as to whether the petitioner was cooperating.

Pursuant to such direction Mr. Roy, learned advocate appearing for the State has placed the report of the investigating officer. Let the said report be kept on record.

Considering the nature of accusations and dispute, the conduct of the petitioner and the extent of complicity of the petitioner in the alleged offence I am of the opinion that his custodial interrogation is not necessary.

Accordingly, I direct that in the event of arrest the petitioner, namely, **Sanjib Roy** 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 meet with the investigating officer once in a week till such investigation is complete.

The application for anticipatory bail, being CRM (A) 856 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.)