

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

19.12.2025
Court No.01
rpan/04

CRM (A) 867 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: Mukul Bawali @ Baoyali

- Petitioner.

Mr. Anirban Chatterjee
...for the Petitioner.

Mr. Ujjal Luksom,
Ms. N. Das
...for the State.

Apprehending arrest in connection with PTN No. WBJP02P005549 of 2025 arising out of Mal Police Station Case no.410 of 2025 dated 03.09.2025 under Sections 85/103(1)/3(5) of the Bharatiya Nyaya Sanhita, 2023, the present application has been preferred.

Mr. Chatterjee, learned advocate appearing for the petitioner submits that the petitioner is the father-in-law of the victim and he is aged about 76 years. No specific overt act has been attributed to the petitioner and the ingredients of Section 103(1) of the Bharatiya Nyaya Sanhita, 2023 are not attracted against him, as would be explicit from the chargesheet already submitted upon conclusion of investigation. There is no possibility that the petitioner would flee from justice.

Mr. Luksom, learned advocate appearing for the State has placed before this Court several documents in the case diary, including the chargesheet.

Having heard the learned advocates and considering the chargesheet already submitted and as *prima facie* the provisions of Section 103(1) of the Bharatiya Nyaya Sanhita, 2023 are not attracted against the petitioner, 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, **Mukul Bawali @ Baoyali** 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

The application for anticipatory bail, being CRM (A) 867 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.)