

23.12.2025
Court No.01
Item No.13
Avijit Mitra

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

CRM (A) 919 of 2025

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

And

In Re: Sri Jaydeb Barman @ Joyjit Barman & anr.

-Petitioners

Mr. Subham Ghosh,

Mr. Mayank Roy

...for the Petitioners

Mr. Kallol Acharjee,

Mr. Tapan Bhattacharjee

...for the State

Apprehending arrest in connection with Matigara Police Station Case No.647 of 2025 dated 10.10.2025 under Sections 308(5), 109, 11B(1), 304(2), 3(5) and 126(2) of the Bharatiya Nyaya Sanhita, 2023, the present application has been preferred.

Mr. Ghosh, learned advocate appearing for the petitioners submits that there was a free fight between two groups and giving exaggerating account, a complaint was lodged falsely implicating the petitioners.

He further submits that before the learned Sessions Judge, the *de facto* complainant appeared and raised no objection against the bail application and filed one affidavit to show that due to misunderstanding, the case was filed and that the matter had been amicably settled and he has no grievance against the petitioners. However, the petitioners' application for anticipatory bail was rejected.

He further submits that in the said conspectus custodial interrogation may not be necessary and they may be granted anticipatory bail on any condition.

Mr. Bhattacharjee, learned advocate appearing for the State opposes the petitioners' prayer and draws the attention of this Court to the statement of a witness, namely, Anil Barman and the injury report. He further submits that investigation is not yet complete and that as such the petitioners' prayer needs to be refused.

Heard the learned advocates appearing for the respective parties and considered the materials in the case diary, particularly, the injury report and the statement of the witnesses as well as the submission of the *de facto* complainant before the learned Sessions Judge.

Considering the nature of accusations, the injury report and the extent of complicity of the petitioners in the alleged offence, I am of the opinion that their custodial interrogation is not necessary. However, their movement needs to be restricted.

Accordingly, I direct that in the event of arrest the petitioners, namely, **Sri Jaydeb Barman @ Joyjit Barman** and **Sipin Barman** shall be released on bail upon furnishing a bond of Rs.10,000/- each 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 petitioners shall meet with the investigating officer once a week until further orders.

The application for anticipatory bail, being CRM (A) 919 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.)