

23.12.2025
Court No.01
Item No.17
Avijit Mitra

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

CRM (A) 925 of 2025

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

And

In Re: Ratan Sarkar

-Petitioner

Mr. Sudip Guha,
...for the Petitioner
Mr. Kallol Acharjee,
Mr. Saikat Chatterjee,
Mr. Chattu Roy
...for the State

Apprehending arrest in connection with Samuktala Police
Station Case No.200 of 2025 dated 02.08.2025 under Sections
103(1)/85/3(5) of the Bharatiya Nyaya Sanhita, 2023, the
present application has been preferred.

Mr. Guha, learned advocate appearing for the petitioner
submits that on the rudiments of omnibus allegations, the
petitioner has been falsely implicated, who happens to be the
brother-in-law of the victim. Out of five accused persons, two co-
accused persons have already been granted anticipatory bail.
The petitioner's prayer for anticipatory bail was rejected by the
learned Sessions Judge prior to filing of the chargesheet.
Subsequently, the chargesheet was submitted omitting Sections
103(1)/3(5) of BNS. In the said conspectus, custodial
interrogation of the petitioner may not be necessary.

Mr. Roy, learned advocate appearing for the State has placed before this Court the case diary including the chargesheet which has already been filed.

Heard the learned advocates appearing for the respective parties.

Considering the nature of accusations, the extent of complicity of the petitioner in the alleged offence and as chargesheet has been submitted omitting Sections 103(1)/3(5) of BNS, I am of the opinion that custodial interrogation of the petitioner is not necessary.

Accordingly, I direct that in the event of arrest the petitioner, namely, **Ratan Sarkar** 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.

The application for anticipatory bail, being CRM (A) 925 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.)