

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

24.12.2025
Court No.01
rpan/15

CRM (A) 950 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: Jahangir Mia & Another

- Petitioners.

Mr. Swarup Das
...for the Petitioners.

Mr. Ujjwal Luksom,
Mr. Aniruddha Biswas
...for the State.

Apprehending arrest in connection with Sitai Police Station Case no.67 of 2024 dated 24.03.2024 under Section 25(1-A) of the Arms Act, the present application has been preferred.

Mr. Das, learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated. They were not in the spot and their names transpired on the basis of a co-accused statement and they have no manner of involvement in the alleged offence.

Mr. Luksom, learned advocate appearing for the State opposes the petitioners' prayer and drawing the attention of this Court to the statement of the witnesses submits that the involvement of the petitioners in the alleged offence cannot be totally ruled out, moreso when, investigating is still continuing.

Heard the learned advocates appearing for the respective parties.

Considering the nature of accusations, the fact that the names of the petitioners have transpired on the basis of a co-

accused person 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, the movement of the petitioners needs to be restricted.

Accordingly, I direct that in the event of arrest the petitioners, namely, **Jahangir Mia** and **Aminur Miah @ Aminul Mia** 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, 2023 with further conditions that they shall meet with the investigating officer of the case twice a week and shall reside within the jurisdiction of Sitai Police Station till investigation is completed.

It is made clear that in the event the petitioners fail to comply with the aforesaid directions without any justifiable cause, the learned trial court would be at liberty to cancel their bail without any further reference to this Court.

The application for anticipatory bail, being CRM (A) 950 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.)