

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

24.12.2025
Court No.01
rpan/16

CRM (A) 952 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: Rafik Alia @ Pintu

- Petitioner.

Mr. Sayantan Bhowmik
...for the Petitioner.

Mr. Ujjwal Luksom,
Ms. Namrata Das
...for the State.

Ms. Anwesha Chakraborty
... for the *De Facto*/Complainant

Apprehending arrest in connection with Dhupguri Police Station Case no.284 of 2025 dated 29.07.2025 under Sections 85/109(1) of the Bharatiya Nyaya Sanhita, 2023 read with Sections 3/4 of the D.P. Act, the present application has been preferred.

Mr. Bhowmik, learned advocate appearing for the petitioner submits that giving an exaggerated account of the alleged incident the complaint was lodged against the petitioner by his wife, being the *de facto*/complainant. Presently, the dispute has been resolved and the petitioner and the *de facto*/complainant are residing together. In the said conspectus, custodial interrogation may not be necessary.

Learned advocate appearing for the *de facto*/complainant does not dispute the fact that the petitioner and the *de facto*/complainant are presently residing together.

Mr. Luksom, learned advocate appearing for the State has drawn the attention of this Court to the statement of the witnesses

and the injury report. He further submits that investigation is still continuing.

Heard the learned advocates appearing for the respective parties.

Considering the fact that the petitioner and the *de facto*/complainant are presently residing together, the nature of accusations and the extent of complicity of the petitioner in the alleged offence, 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, **Rafik Alia @ Pintu** 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 with a further condition that he shall meet with the investigating officer of the case once a week till investigation is completed.

The application for anticipatory bail, being CRM (A) 952 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.)