

24.12.2025
Court No.01
Item No.20
Avijit Mitra

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

CRM (A) 959 of 2025

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

And

In Re: Gobinda Dey & ors.

-Petitioners

Mr. Sudip Guha,
Mr. Sandip Guha Roy,
Mr. Ananda Paul,
Ms. Ankita Nag
...for the Petitioners

Mr. Kallol Acharjee,
Mr. Tapan Bhattacharjee,
Mr. Dhiman Sil
...for the State

Apprehending arrest in connection with Pundibari Police
Station Case No.874 of 2025 dated 21.10.2025 under Sections
329(4)/115(2)/117(2)/118(2)/74/351(3)/3(5) of Bharatiya Nyaya
Sanhita, 2023, the present application has been preferred.

At the inception, Mr. Guha, learned advocate appearing
for the petitioners submits that the petitioner nos. 1 and 2 have
already been arrested. In view thereto, the present application
for anticipatory bail so far as the petitioner nos. 1 and 2 are
concerned is dismissed as 'infructuous'.

He further submits that the petitioner no.3 has been
falsely implicated in the alleged incident and no specific overt
act has been attributed to him and as such custodial
interrogation of the petitioner no.3 may not be necessary and he
may be granted anticipatory bail on any condition.

Mr. Acharjee, learned advocate appearing for the State opposes the petitioner no.3's prayer and draws the attention of this Court to the statements of the witnesses and the injury report. In the injury report it has been stated that '*no external injury can be seen*'. In view thereof and as the allegations, *prima facie*, appear to be omnibus in nature, I am of the opinion that custodial interrogation of the petitioner no.3 is not necessary. However, his movement needs to be restricted as investigation is still continuing.

Accordingly, I direct that in the event of arrest the petitioner no.3, namely, **Munna Roy** 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 with a further condition that the petitioner no.3 shall meet with the investigating officer once in a week till investigation is complete.

The application for anticipatory bail, being CRM (A) 959 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.)