

20.05.2026
Sl. No.159&160
Ct. 28
NB

C.R.M. (A) 4238 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Raiganj PS Case No.1288/2025 dated 06.11.2025 under Sections 108/3(5) of the Bharatiya Nyay Sanhita, 2023.

And

In the matter of: Arup Kumar Jha @ Arup Jha @ Rana
... petitioner

Mr. Sandip Chakraborty,
Mr. Kaustav Das.
...for the petitioner.

Mr. Krishnendu Bhattacharya.
.....Amicus.

Mr. Wasim Akram
...for the de facto complainant.

With

C.R.M. (A) 189 of 2026

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Raiganj PS Case No.1288/2025 dated 06.11.2025 under Sections 108/3(5) of the Bharatiya Nyay Sanhita, 2023.

And

In the matter of: Sunanda Dhar
... petitioner

Mr. Ashutosh Sinha Roy.
...for the petitioner.

Mr. Krishnendu Bhattacharya.
.....Amicus.

Mr. Wasim Akram
...for the de facto complainant.

Learned counsels appearing on behalf of the petitioners of
the two applications submit as follows. The petitioners have been

falsely implicated in this case. The prosecution case is that a person committed suicide because his flat was not registered, even after possession was given. No prima facie case of abetment of suicide is made out in this case. However, without prejudice, during pendency of these applications, the petitioners have made efforts to resolve the problems regarding registration of the flat that had arisen. The flats in question have already been registered in the name of a relative of the deceased in the present case, as also in respect of 17 other intending purchasers.

Learned counsel appearing on behalf of the de facto complainant opposes the prayer for anticipatory bail.

Learned Amicus assisting the State relies on the case diary and opposes the prayer for anticipatory bail. He also relies on a suicide note, the statements of witnesses and the postmortem report.

It will be for the Courts to finally decide whether there is any element of abetment of suicide in this case.

However, considering the above and the other materials available in the case diary, I do not think that custodial interrogation of the petitioners in these applications is required in this case and I am inclined to grant anticipatory bail to the petitioners.

Accordingly, in the event of arrest, the petitioners 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 Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioners shall cooperate

with the investigation and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and the petitioner in ***C.R.M. (A) 4238 of 2025*** shall meet the Investigating Officer once a fortnight till submission of report in final form.

The application for anticipatory bail is, thus, disposed of.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)