

01/04/2026
D/L – 48
Court No.28
S. Kundu
Allowed

C.R.M.(A) 650 of 2026

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Kharagpur (Town) P.S case no. 578 of 2025 dated 15/12/2025 under sections 103(1)/61(2) of the BNS.

In the matter of: Jishu Thapa

...Petitioner.

Mr. Soumyajit Das Mahapatra
Ms. Madhurai Sinha
Ms. Upasana Banerjee

...for the petitioner.

Mr. Amit Ranjan Pati
Ms. Swastika Chowdhury
Mr. K. Kubra
Mr. Sourav Gupta
Ms. I. Nag
Mr. Arijit Chatterjee

...for the de-facto complainant.

Mr. Soumik Ganguly
Mr. Sufi Kamal

...for the State.

1. Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the owner of a de-addiction centre. The victim in question passed away on 17/05/2025. In fact, out of a possible withdrawal symptom, the victim purportedly committed suicide inside a bathroom. In spite of this, the de-facto complainant lodged an FIR alleging murder of the victim after about five months from the date of occurrence. There is no incriminating material available against the present petitioner.
2. Learned counsel appearing on behalf of the de-facto complainant opposes the prayer for anticipatory bail. He

submits that the de-facto complainant was a signatory to the inquest report, which was done on the same day as the date of death. He made a verbal complaint to the police, but that was not adhered to. He sent a formal complaint to the police by post on 11/7/2025 and thereafter, approached the Magistrate for a direction. Finally, the FIR was registered on 15/12/2025. There is a tongue bite mark present in the dead body of the victim, which led to the suspicion that the victim might have been murdered.

3. Learned counsel appearing for the State opposes the prayer for anticipatory bail. He relies on the statements of the witnesses including that of the de-facto complainant and the *post-mortem* report.
4. At this stage, learned counsel appearing for the petitioner submits that tongue bite mark is a distinct possibility when a victim commits suicide by hanging.
5. Considering the above, the other materials available in the case diary and the delay in lodging the FIR, I do not think that custodial interrogation of the petitioner is required in this case and I am inclined to grant anticipatory bail to the petitioner.
6. In the event of arrest, the petitioner 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 also be subject to further conditions that the petitioner shall

cooperate with the investigation and shall not threaten or intimidate the witnesses. The petitioner shall meet the I.O once a fortnight till submission of report in final form.

7. Accordingly, the application for anticipatory bail is allowed.
8. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)