

11.03.2026
rpan/26

CRM (A) 503 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Haripal Police Station Case No. **813 of 2025** dated **09.12.2025** under Sections 103(1)/3(5) of the Bharatiya Nyaya Sanhita.

And

In the matter of: **Surajit Majumder**

.... Petitioner.

Mr. Siddhartha Pratim Datta,
Mr. Bratim Dey,
Mr. Rhitam Chatterjee,
Mr. Joydeep Das

... for the petitioner

Mr. Sandip Chakraborty,
Mr. Aritra Bhattacharjee
... for the State.

Mr. Debasis Kar,
Mr. Husen Mustafi,
Ms. Rimi Shil

... for the de facto / complainant.

Learned counsel appearing on behalf of the petitioner submits as follows. After the victim had gone missing on 13th October, 2025, his body was found on 16th October, 2025. The petitioner is the contractor under whom the victim was working. He lodged a missing diary with the police on the very next date i.e., on 14th October, 2025. However, there was a delay of one day in informing the wife of the victim. She was informed on 15th October, 2025. The petitioner stands on a different footing than the other co-accused whose prayer for anticipatory bail was rejected. According to the statements of the witnesses, as would be evident from the order of rejection, the victim had told one witness that he was going out with one Sukumar to see a doctor in the evening. According to another witness, the said witness had seen the petitioner with the said co-accused, Sukumar,

going out in the afternoon. However, in the evening at about 07:00 p.m., only Sukumar came back, but the victim did not return. Sukumar was staying together at the same place with the said victim.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. However, he submits that apart from the call detail records showing that there were calls between the contractor petitioner and the co-accused employee, and the fact that there was a delay of one day in informing the wife about the going missing of the alleged victim, there is no other incriminating material available against the petitioner as of now.

Considering the above, the other materials available in the case diary and the alleged role ascribed to the petitioner, 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.

In the event of arrest, the petitioner 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 also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and on further conditions that the petitioner shall co-operate with the investigation and shall not threaten or intimidate the witnesses. The petitioner shall meet the I.O. once a week till submission of report in final form.

The presence of the I.O. is noted and is dispensed with.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)