05.10.2026
Sl. No. - 26
Court No.35
Rohan
(Allowed)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION
APPELLATE SIDE

C.R.M.(A) 1890 of 2026

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Egra Police Station Case No. 292 of 2026 dated 26.05.2026 for the offences punishable under Sections 303(2)/317(2) of the Bharatiya Nyaya Sanhita, 2023.

-And-

In the matter of: Tarun Kumar Maity

...Petitioner

Mr. Moyukh Mukherjee
Ms. Priyanka Bhattacharya
Ms. Sarmistha Basak
Ms. Sagnika Banerjee

...for the Petitioner

Mr. Shataroop Purkayastha

...for the State

1. Learned advocate appearing for the petitioner submits that the petitioner was foisted with the criminal case after change of administration.

2. Learned advocate appearing for the State opposes the prayer for anticipatory bail and submits that certain relief materials were recovered from the school and from a known hide out of the present petitioner.

3. Having considered that the petitioner was, at the relevant point of time, a public representative and the present case was initiated after the same came to the notice of the administrative authorities, I am of the opinion that since the State is yet to furnish a standard operating procedure for return of relief materials in case the same is in excess or undistributed within a

scheduled period of time after the purpose for which the same is not required to be distributed be returned to the administrative authority, at least in this case, the custodial detention of the present petitioner is not called for.

4. Accordingly, prayer for anticipatory bail of the petitioner, namely, **Tarun Kumar Maity** is **allowed**.

5. As such, I direct that in the event of arrest, the petitioners be released on bail by the Investigating Officer/Arresting Officer of the case on such terms and conditions as it deems fit and proper. This would be subject to the conditions under Section 438(2) of the Cr.P.C. and/or under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

6. The seized materials may be returned to the administrative officer on behalf of the Government, if an appropriate application is made to the Jurisdictional Court on proper proof being furnished.

7. With the aforesaid observation, **C.R.M. (A) 1890 of 2026** is **disposed of**.

8. Memo of evidence submitted be kept with the record.

9. All parties shall act in terms of the server copy of the order downloaded from the official website of this Court.

10. Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)