D/L 19

08.10.2026
Rohit, A.R.(Ct.)
ct.no.33
Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION
APPELLATE SIDE

C.R.M (M) 2032 of 2026

Anup Auddy
Vs
The State of West Bengal

In Re: An Application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Sessions** Case No. **109** of **2025** arising out of **Kulpi** Police Station Case No. **449** of **2024** dated **14.12.2024** under Sections **103(1)/3(5)** of the BNS, 2023.
And
In the matter of : Anup Auddy

...Petitioner.

Mr. Soubhik Mitter
Ms. Rajnandini Das
Mr. Karan Bapuli

...for the Petitioner

Mr. Amitabha Sarkar
Ms. Anita Pandey

...for the State

1. Learned Advocate representing the petitioner submitted the petitioner had been in custody since 18.12.2024 being arrested from the hospital wherein he had been admitted on 14.12.2024 being assaulted in a group skirmish with the de facto complainant's group in the instant Kulpi P.S. Case No. 449 of 2024 dated 14.12.2024. It was further submitted the petitioner lodged a complaint being assaulted resulting in Kulpi P.S. Case No. 451 of 2024 and had not been the principal accused. Moreover no offending weapon or any other incriminating materials had been recovered from the possession of the

present petitioner. Out of 17 witnesses 6 witnesses have already been examined in part.

2. The learned Advocate representing the State opposed the prayer for bail stating the statements recorded under Section 180 and 183 of BNSS revealed incriminated conduct on the part of the petitioner to have been actively involved in the alleged offence and at this stage pending the examination of further witnesses, the prayer for bail shall not be granted.

3. Considering the period of detention and the de facto complainant and three other eye-witnesses to have been examined and the perusal of the evidence of P.W. 1 to 6 as placed before this Court by the learned Advocate representing the petitioner, the prayer for bail is considered and allowed.

4. The learned Advocate representing the petitioner is to file a fresh copy of the deposition of P.W. 1 to P.W. 6 in Court by tomorrow.

5. Accordingly, Petitioner, namely, **Anup Auddy** shall furnish bond of Rs. 30,000/- (Rupees Thirty Thousand Only) with two sureties of Rs. 15,000/- (Rupees Fifteen Thousand Only) each, one of whom must be local to the satisfaction of Learned Additional Chief Judicial Magistrate, Diamond Harbour, South 24 Parganas.

6. The petitioner shall be physically present on each and every date fixed before the learned Trial Court and shall

not leave the jurisdiction of the Trial Court without prior permission from the same and the petitioner shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition the petitioner shall meet with the Officer-in-Charge of the concerned Police Station once in a week until further orders.

7. In the event the petitioner fails to appear before the trial Court without justifiable cause, the trial Court shall be at liberty to cancel his bail automatically without reference to this Court.

8. Accordingly, CRM (M) **2032** of 2026 is **allowed**.

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

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

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

(Ananya Bandyopadhyay, J.)