

07.01.2026
Item no. 47.
Court No.3.
Rakib

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction**

CRM (A) 2 of 2026

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973/Under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Sitai Police Station Case No. 208 of 2025 dated 07.09.2025 under Sections 126(2)/115(2)/117(2)/1096/304(2)/(3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of : Manirul Hoque.

.....Petitioner.

Mr. Hillol Saha Podder

.....for the Petitioner.

Mr. Ujjwal Luksom

Mr. Biswarup Roy

.....for the State.

Learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated by his wife with whom he has matrimonial issues and criminal cases are pending under the relevant provisions of the IPC/BNS. The injuries complained of according to the petitioner are simple and as such the petitioner may be granted the privilege of anticipatory bail.

Learned advocate for the State produces the Case Diary which includes the injury report, the statement of the victim before the learned Judicial Magistrate as also the injuries of the brother of the de-facto complainant.

Having considered the totality of the circumstances, particularly, the factual backgrounds read along with the medical

report, I am of the view that this is not a proper case for granting anticipatory bail.

However, if the petitioner appears and/or surrender before the learned Magistrate, it would be the prerogative of the investigating agency to assess whether custodial detention or interrogation is required or not.

With the aforesaid observations CRM (A) 2 of 2026 is disposed of.

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

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

(Tirthankar Ghosh, J.)