

09.01.2026
Serial no. 24
[G.S.D]

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI**

CRM (A) 5 of 2026

In re : An Application under Section **482** of the BNSS, 2023/under Section 438 of the Cr.P.C. in connection with **Dinhata Women PS Case No. 128 of 2025 dated 18.10.2025 u/s 85/74/115(2)/109(1)/3(5) of the BNS, 2023 and read with Sections 3/4 of the DP Act, 1961.**

-And-

In the matter of : Nur Alam Miah & Anr.

... Petitioner(s)

Mr. H.S. Podder

... for the petitioner(s)

Mr. Nilay Chakraborty, APP
Mr. Tapan Bhattacharjee
Mr. Biswarup Roy

... for the State-respondent(s)

Learned advocate for the petitioners submits that the petitioners are the husband and brother in law of the complainant. Learned advocate also submits that the petitioners have been foisted with the criminal case on trivial marital disputes and the allegations have been exaggerated for incorporating sections in order to harass the petitioners.

Learned advocate for the State has produced the case diary.

I have considered the materials in the case diary and, on an assessment of the same, I am of the view that

custodial detention of the petitioners may not be warranted in the facts and circumstances of the case.

Hence, the prayer for anticipatory bail of the petitioners is **Allowed**.

Accordingly, I direct that in the event of arrest, the petitioners be released on bail upon furnishing bond of Rs.20,000/-(Rupees Twenty Thousand only) **each**, with two sureties of Rs.10,000/- (Rupees Ten Thousand only) each, one of whom must be local, to the satisfaction of the arresting officer of the case and also subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and/or under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

As the investigation of the case is still in progress, the petitioners shall make themselves physically available as and when called for by the investigating officer of the case.

Accordingly, CRM(A) 5 of 2026 is disposed of.

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

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

(Tirthankar Ghosh, J.)

