

15.01.2026
Serial no. 27
[G.S.D]

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

CRM (A) 33 of 2026

In re : An Application under Section **482** of the BNSS, 2023/under
Section 438 of the Cr.P.C. in connection with **Kalimpong PS Case**
No. 216/2025 dt. 26.12.2025 u/s 316(2), 318(4) and
61(2)(b) of the BNS, 2023.

-And-

In the matter of : Aparna Rai & Anr.

... Petitioner(s)

Mr. S. Choudhury
Mr. Dibyajyoti Mandal
Mr. Monoj Saha ... for the petitioner(s)

Mr. Kallol Acharjee
Dr. Arjun Chowdhury ... for the State-respondent(s)

Mr. M. Paul
Mr. Nabankur Paul
Ms. S. S. Paul
Ms. B. Bose
Mr. Subham Das
Mr. Bodhisatya Ghosh ... for the defacto-complainant(s)

Learned advocate for the petitioner submits that
there is a dispute in respect of business transactions for
which the present case has been initiated by the defacto-
complainant unnecessarily invoking the jurisdiction of the
provisions of criminal law.

Learned advocate for the defacto-complainant submits that the petitioners are the history sheeters and number of cases have been registered against them.

I have taken into account the submissions of the learned advocates for the parties.

Learned advocate for the State has produced the Case Diary which reflects that the petitioners have complied with the notice under Section 35(3) of the BNSS which was issued by the Investigating officer of the case.

Having considered that the case is based on documents and the petitioners have been cooperating with the investigating officer of the case, in spite of the objection raised by the State, I am of the opinion that custodial detention of the present petitioners is unwarranted.

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

Accordingly, I direct that in the event of arrest, the petitioner 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 continuing, the petitioner no.1 shall make herself physically available as and when called for by the investigating officer of the case.

So far as the petitioner no.2 is concerned, he shall make himself physically available once in every ten days before the investigating officer of the case till submission of the charge-sheet.

Accordingly, CRM(A) 33 of 2026 is 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.)