

02.02.2026

Item No.2

Ct.No.35

dc.

Allowed

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION**

FROM PRINCIPAL BENCH

C.R.M. (R) 5 of 2026

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with C.R. Case No. 24 of 2026 dated 08.01.2026 under Sections 69(1) read with Sections 132(1)(b)/132(5) of the Central Goods and Services Tax Act, 2017.

And

In Re : **Shri Mithun Bhagat**

... Petitioner.

Mr. Shri Singh,
Mr. Dhiraj Lakhotia,
Ms. Radhika Agarwal,
Mr. Mainak Biswas,
Ms. Khusi Kundu

... For the Petitioner.

Mr. Ratan Banik,
Mr. Biswaraj Agarwal,
Ms. Sretapa Sinha

... For the CGST Authority.

Learned advocate appearing for the petitioner submits that the petitioner was taken into custody for alleged evasion of 5.60 crore of GST and is in custody for 27 days since his arrest.

Learned advocate appearing for the CGST authorities opposes the prayer for bail and submits that another one crore amount has been identified by the authorities. Notices have been issued to other persons also who may have complicity with the present case.

A specific question was asked to the learned advocate appearing for the CGST authorities that whether any of the

bank account has been till date frozen/attached by the CGST authorities. To that, learned advocate submits that till date, none of the account of the petitioner has been frozen.

Report submitted on behalf of the CGST authorities be kept with the record.

Having regard to the fact that the investigation is continuing and petitioner in an offence of such nature is already in custody for 27 days, I am of the view that further detention of the present petitioner in connection with the instant case is unwarranted. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner viz., **Shri Mithun Bhagat** shall be released on bail upon furnishing bond of Rs.20,000/-, with two sureties of Rs.10,000/- each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Siliguri.

If on bail, the petitioner shall be physically present before the learned Trial Court once in a week till the complaint is submitted before the jurisdictional court by the Investigating Officer of the case.

The petitioner shall only with the permission of the learned Additional Chief Judicial Magistrate, Siliguri, leave the district of Darjeeling.

Additionally it is directed that in this case, the learned Additional Chief Judicial Magistrate, Siliguri, while accepting the bond, would ensure that the local surety must be of a person who would deposit the Title Deed of his property.

The application for bail, being CRM (R) 5 of 2026, is, thus, disposed of.

All concerned parties shall act on the server copy of this order duly 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.)