

17.02.2026

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Allowed

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

CRM (A) 61 of 2026

In Re : An Application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Bhaktinagar P.S. Case No. 1183/25 dated 10.12.2025 under Sections 74/76/78/127(2)/64(1)/62/351(2)/61(2) of the Bharatiya Nyaya Sanhita .

And

In Re : **Sudhir Roy**

... Petitioner

Mr. Sandipan Ganguly
Mr. Shubhankar Dutta
Mr. Somdutta Patra
Ms. Swagata Mitra

... for the Petitioner

Mr. Aditi Shankar Chakraborty
Mr. Tapan Bhattacharjee

... for the State

Heard learned counsels for the parties.

Learned counsel for the petitioner submits that the petitioner is the driver of State Bank of India, RACPC Branch and has no nexus with the alleged offence. He was merely driving the vehicle which carried the victim lady and the co-accused. Though the defacto complainant has alleged that the co-accused has molested her in the vehicle after she boarded the vehicle at about 7.55 p.m. and alighted at about 9 pm near Court More, Siliguri, the CCTV footage of Court

More collected in course of investigation demonstrates that the victim lady alighted from the vehicle at Court More on the relevant date at around 16.57 hours. Custodial interrogation of the petitioner is not required. Charge sheet has been submitted. He may be granted anticipatory bail.

Learned counsels for the State and the defacto complainant oppose the prayer.

I have considered the material on record. The discrepancy between the time of alighting from the vehicle as stated by the defacto complainant and as appears from the CCTV footage is glaring.

The petitioner is the driver of the vehicle and the only allegation against him is that he did not stop the vehicle or resist the co-accused despite watching the entire incident. Charge sheet has been submitted. Custodial interrogation of the petitioner is not required. He may be granted anticipatory bail.

Prayer for anticipatory bail of the petitioner is allowed.

Accordingly, in the event of arrest, the petitioner namely Sudhir Roy be released on bail on furnishing bond of Rs.10,000/-(Rupees Ten Thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer and subject to provision under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

The petitioner shall appear before the jurisdictional Court and pray for regular bail within two weeks from date.

CRM (A) 61 of 2026 is, thus, disposed of.

Case Diary be returned.

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

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

(Suvra Ghosh, J.)