

AD 34
March 17, 2026
Ct. 6
SG

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction

CRM(A) 120 of 2026

Allowed

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Alipurduar P.S. Case No.155 of 2021 dated 17.05.2021 under Sections 406/420/468/471/120B of the IPC.

And

In the matter of: *Kulendra Nath Roy @ Kulen Ch. Roy*
... petitioner

Mr. Shubhankar Dutta

... for the petitioner

Mr. Abhijit Sarkar

Mr. Chattu Roy

... for the State

Learned counsel for the petitioner submits that the petitioner was not named in the FIR that was registered in 2021. He was named for the first time in the charge-sheet which was submitted in 2022. But, no notice was given to him. The petitioner is not the principal accused and the only material available against the present petitioner is the statement of a co-accused, which is not admissible in evidence.

Learned counsel for the State opposes the prayer for anticipatory bail and submits that a charge-sheet has been submitted. Other than the statement of a co-accused, there is no other material available in the case diary against the petitioner.

Considering the above and the other materials available in the case diary and the fact that charge-sheet has been

submitted and that other than the statement of a co-accused, there is no other material available in the case diary against the petitioner, I am inclined to grant anticipatory bail to the petitioner.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and on the further conditions that the petitioner shall surrender before the jurisdictional court within four weeks from this date and pray for bail, shall attend the jurisdictional court regularly and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

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

(Jay Sengupta, J.)