

19.03.2026
Sl. No.19
Ct. 06
NB

Calcutta High Court
In The Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction

CRM (A) 162 of 2026

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Nagrakata PS Case No.140/2025 dated 06.10.2025 under Sections 126(2)/117(2)/118(2)/351(3)/61(2)/3(5) of BNS, 2023 read with Section 3(1)(r)/3(1)(s) of SC and ST (Prevention of Atrocities) Act, 1989.

And

In the matter of: Jayed Ali @ Jayat Ali & Ors. ... petitioners

Mr. Bhaskar Roy Mahasaya,
Ms. Ambalika Ghosh,
Ms. Taniya Bhowmik.
...for the petitioners.

Mr. Aditi Shankar Chakraborty Id.APP,
Mr. Ujjwal Luksom.
..for the State.

Mr. .Satyani Banu
...fro the de facto complainant.

Affidavit of service filed on behalf of the petitioners is taken on record.

Learned counsel appearing on behalf of the petitioners submits that as the petitioners have been falsely implicated in this case, no prima facie case is made out so far as the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act is concerned. The petitioners were not even named in the FIR.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He refers to the photograph present at page 26 of the case diary and submits that the accused were

identified from the photographs. He also refers to the statements of witnesses and the injury contained at page 66 of the case diary. From the injury report, it appears that assault was made on vital parts of the body of the victim like the forehead, eyebrow, eyelid and fact.

Considering the serious nature of allegations and the other incriminating materials available in the case diary, I do not consider this to be a fit case for granting anticipatory bail to the present petitioners.

The application for anticipatory bail of the petitioners is, thus, rejected.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)