

AD 33
March 23, 2026
Ct. 6
SG

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

CRM(A) 183 of 2026

Allowed

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Siliguri Cyber P.S. Case No.11 of 2026 dated 20.02.2026 under Sections 196(1a)(1b)/353(2)/299 of the BNS.

And

In the matter of: *Abhijit Roy @ Abhi*

... *petitioner*

Mr. S.K. Mazumdar, Sr. Adv.
Mr. S.K. Paul
Mr. S. Dutta
Mr. S. Kar

... for the petitioner

Mr. A.S. Chakraborty
Mr. Tapan Bhattacharjee

... for the State

Notarised affidavit cum undertaking filed by the petitioner is taken on record. Copy of the same is served upon the learned counsel for the State.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. The alleged social post that had led to a suo motu action taken by the police was in response to a defamatory post made against religious belief of the petitioner. However, on the very same day, the same post was deleted. Be that as it may, the petitioner undertakes that he would not post or share anything in his social media profile which might disturb communal harmony.

Learned counsel for the State opposes the prayer for anticipatory bail, relies on the statements of witnesses and copies of social media posts.

Considering the above and the undertaking given by the petitioner that he would not post or share anything that might have disturb communal harmony, I do not think that custodial interrogation of the petitioner is required in this case and 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 cooperate with the investigation, shall meet the investigating officer once a week till submission of report in final form, shall not threaten or intimidate witnesses and shall not post or share anything that might disturb communal harmony.

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.)