

20.04.2026
Item no.13.
Court No.5.
KAUSHIK
(Allowed)

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction**

CRM (A)196 of 2026

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973/Under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Sahebganj Police Station Case No.356 of 2022 dated 25.09.2022 under Sections 448/376/511/323/379 of the Indian Penal Code.

And

In the matter of : Rabiul Miah @ Miya.
.....Petitioner.

Ms. Rajyashree Ghosh
.....for the Petitioner.

Mr. Nilay Chakraborty, Ld. APP
Mr. Sagnik Sankar Sikdar
.....for the State.

Ms. Ghosh, learned Advocate appearing for the petitioner submits that, following a dispute over a property, the petitioner has been falsely implicated in the alleged offence. He further submits that the charge-sheet has been submitted and that custodial interrogation of the petitioner is not necessary.

Mr. Nilay Chakraborty, learned Additional Public Prosecutor appearing on behalf of the State, opposed the prayer for anticipatory bail on the basis of the materials available in the case diary.

Heard the learned advocates appearing for the respective parties and perused the materials on record, including the case diary. Indisputably, in the present case, Charge-sheet vide No. 444 of 2024

dated 30th August, 2024 has been submitted. There is no prayer in the charge-sheet for filing any supplementary charge-sheet, and the incident allegedly occurred in the presence of direct evidence. I am, therefore, of the view that custodial interrogation of the present petitioner is not necessary. As such, the prayer for anticipatory bail of the petitioner is allowed.

Accordingly, it is directed that, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten Thousand only), with two sureties of Rs. 5,000/- (Rupees Five Thousand only) each, to the satisfaction of the **Additional Chief Judicial Magistrate, Dinhata**, and subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Accordingly, CRM (A) 196 of 2026 is **allowed**.

All parties shall act in terms of server copy of the order 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.

(Partha Sarathi Chatterjee, J.)