

AD 34
March 25, 2026
Ct. 6
SG

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

CRM(A) 207 of 2026

Allowed

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Phansidewa P.S. Case No.366 of 2025 dated 11.08.2025 under Sections 329(4)/64/62/351(2)/3(5) of the BNS.

And

In the matter of: *Karimul Haque @ Md. Karim @ Karimuddin*
and another

... petitioners

Ms. Mousumi Das

... for the petitioners

Mr. A. Sarkar
Mr. K. Acharjee
Ms. S. Adhikary

... for the State

Mr. S. Chanda
Mr. S. Ghosh

... for the de facto

Learned counsel for the petitioners submits that there was an illicit relation between the petitioner No.2 and the husband of the alleged victim. This led to a dispute between the two families. The petitioners have been falsely implicated in this case.

Learned counsel for the de facto complainant opposes the prayer for anticipatory bail and submits that even after the incident, the petitioners were harassing her.

Learned counsel for the State opposes the prayer for anticipatory bail and refers to the statement of the victim recorded before the learned Magistrate and the statements of other witnesses. He submits that charge-sheet has been submitted.

Considering the above, the other materials available in the case diary and the fact that charge-sheet has been submitted, although I am inclined to grant anticipatory bail to the petitioners, the movement of the petitioner No.1 shall remain restricted for a limited period of time.

In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) each 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 petitioners 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 and the petitioner No.1 shall stay outside the jurisdiction of Phansidewa Police Station except for meeting the investigating officer or attending the jurisdictional court.

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.)