

22.04.2026

Item no.13.

Court No.5.

Suman

(Allowed)

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

CRM (A)250 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 Tufanganj Police Station Case No.125 of 2026 dated 28.02.2026 under Section 126(2)/115(2)/118(2)/109/3(5) of the Bharatiya Nyaya Sanhita corresponding to G.R. Case No.188 of 2026 pending before the Additional Chief Judicial Magistrate, Tufanganj, Coochbehar.

And

**In the matter of : Abhishek Sarkar and others
.....Petitioners.**

Mr. Swarup Das
..for the petitioners

Mr. Tapan Bhattacharjee
Mr. Dhiman Sil
..for the State

Petitioner No. 1, namely Abhishek Sarkar, has been arrested during the pendency of the present application. Accordingly, the application qua Petitioner No. 1 is not pressed.

Mr. Das, learned Advocate appearing for the petitioners, submits that due to political rivalry, the present petitioners have been implicated only to deter them from participating in the political campaign of their political party. He further submits that the co-accused persons

are on bail and, therefore, according to him, custodial interrogation of the petitioners is not required.

Mr. Bhattacharjee, learned advocate appearing for the State produces the case diary and opposes the prayer for anticipatory bail.

Heard the learned advocates appearing for the respective parties and perused the materials on record including the case diary.

Taking note of the nature of the allegations, the complicity of the present petitioners, and the nature of the injuries as reflected in the injury reports appearing at pages 70 and 22 of the case diary, and on further consideration that the incident allegedly occurred in the presence of direct evidence, custodial interrogation of the present petitioners will not serve any purpose.

In view of the above, the application being **CRM (A) 250 of 2026** is **allowed**.

It is ordered that in the event of arrest, each of the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten Thousand only) each, with two sureties of Rs. 5,000/- (Rupees Five Thousand only) each, to the satisfaction of the learned **Additional Chief Judicial Magistrate, Tufanganj, Coochbehar**, and subject to the condition that the petitioners shall meet the Investigating Officer twice a month till the submission of the charge sheet and subject to the conditions laid down under Section 482(2) of the BNSS corresponding to Section 438(2) of the Cr.P.C.

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.)