

27.04.2026
Item no.17.
Court No.5.
(Samar)
(Allowed)

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

CRM (A) 252 of 2026

In Re: An Application for Anticipatory Bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Matigara Police Station Case No.118 of 2026 dated 01.03.2026 under Sections 126(2)/118(2)/109/351(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

**In the matter Of :Sri Satish Chamling
Rai & Bijay Pradhan.**

.....Petitioners.

Mr. Gyanendra Dewan,
Mr. Rajesh Kumar Sharma,
Mr. Mithun Prasad,
Mr. Bickey Sharma,
.....for the Petitioners.

Mr. Nilay Chakroborty,
Mr. Biswarup Roy,
.....for the State.

Mr. Dewan, learned Advocate appearing for the petitioners, submits that the incident allegedly occurred in a parking lot, where the accused persons had allegedly attacked the complainant. He submits that when the petitioners went to the place of occurrence to park their vehicle, they were assaulted by the complainant and his associates, and at that time, the petitioners, in exercise of their right of private defence, defended themselves. He further submits that, in the facts and circumstances of the case, there is no requirement to keep the present petitioners in judicial custody or to subject them to custodial interrogation. He also submits that CCTV footage of the incident may be

produced to bring the true facts to light. He undertakes that the petitioners shall comply with all terms and conditions that may be imposed by the Court in the event their prayer for pre-arrest bail is allowed.

Mr. Chakraborty, learned Advocate appearing for the State, produces the case diary and opposes the prayer for bail. He submits that there are serious allegations against the present accused persons.

Mr. Roy, learned Advocate appearing for the de facto complainant, submits that the statement made on behalf of the petitioners that they acted in exercise of their right of private defence itself indicates that an incident occurred and that in the said incident the victim sustained grievous injuries. He prays for dismissal of this application.

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

Considering the facts and circumstances of this case and nature of the injuries as reflected from the medical documents lying with the case diary as on date and on further consideration that the incident allegedly occurred in presence of direct evidence, I am of the view that custodial interrogation of the present petitioners is not necessary.

Accordingly, it is directed that, in the event of arrest, each of the petitioners shall be released on bail upon each of them furnishing a bond of Rs. 20,000/- (Rupees Twenty Thousand only), with two sureties of Rs. 10,000/- (Rupees Ten Thousand only) each, to the satisfaction of the learned ACJ, Siliguri, subject to the conditions laid down under Section

482(2) of the BNSS. It is further directed that the petitioners shall meet the Investigating Officer once a week and shall not leave the jurisdiction of the territorial jurisdiction of the Court of learned ACJM without prior permission of the Investigating Officer.

The application being CRM (A) 252 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.)