

28.04.2026
Item no.15
Court No.5.
(Samar)
(Allowed)

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

CRM (A) 260 of 2026

In Re: An Application for Anticipatory Bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Sahebganj Police Station Case No. 60 of 2026 dated 09.02.2026 under Sections 126(2)117(2)/109(1)/118(1)/115(2)/74/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of : Enchar Ali Miah & Ors.

.....Petitioners.

Mr. Rounak Ghosh,
.....for the Petitioners.

Mr. Tapan Bhattacharjee,
Ms. Sukanya Adhikary,
.....for the State.

Mr. Ghosh, learned advocate appearing for the petitioners, submits that the present case is nothing but a counterblast to the case filed by the accused persons. He further submits that the accused persons were also severely injured in the course of the incident and were assaulted at the hands of the de facto complainant. He submits that the other co-accused persons have already been granted bail and, as such, the present petitioner should not be compelled to languish in jail custody.

Mr. Bhattacharjee, learned advocate appearing for the State, produces the case diary and opposes the prayer for bail on the basis of the materials available therein.

Heard the learned advocates appearing for the respective parties and perused the materials on record. It appears that there is a case and counter-case arising out of the alleged incident which occurred on 7th February, 2026. Prior to the initiation of the present case, being Sahebganj P.S. Case No. 60 of 2026, the accused persons had lodged a complaint which was registered as Sahebganj P.S. Case No. 54 of 2026. The incident is alleged to have occurred in the presence of direct witnesses. Considering that the co-accused persons are already on bail, and upon consideration of all materials on record, including the injury reports, I am of the view that custodial interrogation of the present petitioner is not necessary.

Accordingly, it is directed that, in the event of arrest, the petitioners 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 learned ACJM, Dinhata, subject to the conditions laid down under Section 482(2) of the BNSS.

The application being CRM (A) 260 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.)