

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI

11.06.2026
Court No.5
Item No.9
Aloke

CRM (A) 318 of 2026

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2022, corresponding to Section 438 of the Criminal Procedure Code, 1973, in connection with Pundibari Police Station Case No.694 of 2025 dated 05.08.2025, under Sections 126(2)/324(4)/221/132/351(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023, corresponding to Sections 341/427/186/353/506/34 of the Indian Penal Code read with Section 3 of the Prevention of Damage to Public Property Act, 1984 read with Sections 109/61(2) of the Bharatiya Nyaya Sanhita, 2023 (corresponding to Sections 307/120B of the Indian Penal Code).

And

In Re: **Udayan Guha**

..... Petitioner

Mr. Kalyan Bandopadhyay, Id. Sr. Adv. (through VC)
Mr. Sirsanya Bandopadhyay
Mr. Arka Kr. Nag
Mr. Soham De Dhara
Mr. Rahul KR. Singh

....For the Petitioner

Mr. Jagriti Mishra, Id. AAAG
Mr. Avrojoyoti Das, Id. APP

....For the State

1. The petitioner herein prays for anticipatory bail apprehending arrest in connection with Pundibari Police Station Case No.694 of 2025 dated 05.08.2025, under Sections 126(2)/324(4)/221/132/351(2)/3(5) of the Bharatiya Nyaya

Sanhita, 2023, corresponding to Sections 341/427/186/353/506/34 of the Indian Penal Code read with Section 3 of the Prevention of Damage to Public Property Act, 1984 read with Sections 109/61(2) of the Bharatiya Nyaya Sanhita, 2023, corresponding to Sections 307/120B of the Indian Penal Code.

2. Admittedly, the incident in the present case allegedly occurred on 05.08.**2025** and initially suo motu complaint initiated by the police officer admittedly did not note the name of the present petitioner.
3. It is submitted by the learned counsel for the State Mr. Mishra that it is during the investigation that the name of the present petitioner has transpired and his role in the said incident has come before the investigating agency and, as such, the State is continuing with the investigation in a case which was initiated in 2025.
4. On hearing Mr. Bandopadhyay, learned senior counsel and Mr. Mishra, appearing for the State who has placed the case diary, it appears that there is a single injury report at page 172 of the case diary, wherein the doctor has examined one Lalit Ray, who was an on duty police officer at the time and place of incident.
5. It appears from the said injury report that the doctor could not form any opinion as to the nature of the injury sustained.
6. Prima facie, it appears that there was an alleged altercation or an agitation during the incident in the present case. But

considering that the incident has taken place almost a year back and also considering the materials on record, custodial interrogation of the petitioner is not necessary at this stage.

7. Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs10,000/- with two sureties of Rs.5,000/- each, one of whom must be local, to the satisfaction of the Arresting Officer and also be subject to further conditions that the petitioner shall cooperate with the investigation and shall not threaten or intimidate witnesses. The petitioner shall also meet the I.O. as and when required. It is further directed that the petitioner shall render all assistance to the investigating agency in carrying out a free and fair investigation.
8. The prayer for anticipatory bail of the petitioner is thus allowed.
9. CRM (A) 318 of 2026 is, thus, disposed of.
10. Urgent photostate certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Shampa Dutt (Paul), J.)