

15.06.2026
Court No.5
SL No.10
g.b.

**HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

CRM(A) 338 of 2026

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 and corresponding Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Matigara Police Station Case No. 147 of 2026 dated 12.03.2026 under Sections 319(2)/318(4)/336(2)/338/336(3)/340(2)/3(5) of the BNS, 2023 and corresponding to PTN No. 856/2026 pending before the learned Additional Chief Judicial Magistrate, Siliguri.

And

In the matter of: **Mala Chhetri & Anr.**

....Petitioners.

Mr. Sayan De
Mr. Rimik Chakraborty

...For the Petitioners.

Mr. Avrojoyti Das, Ld. APP
Ms. Panchali Deb Sikder (Nag)

...For the State.

Mr. Mayank Roy

.....For the De facto Complainant

1. The petitioners herein pray for bail apprehending arrest in connection with Matigara Police Station Case No. 147 of 2026 dated 12.03.2026 under Sections 319(2)/318(4)/336(2)/338/336(3)/340(2)/3(5) of the BNS, 2023 and corresponding to PTN No. 856/2026 pending before the learned Additional Chief Judicial Magistrate, Siliguri.

2. The prosecution case is of illegal transfer of land by way of producing fake documents by the Land Mafia who allegedly run a racket of such illegal and forcible transfer of land. It is further stated that there are several cases pending against the present petitioners/accused persons for such assistance in making such transfer.
3. Admittedly, a civil suit has been filed by the complainant being Title Suit No. 13 of 2026 pending before the Civil Judge (Sr. Division) at Siliguri. The present two petitioners though named in the criminal case are not parties in the civil suit.
4. From the material on record it appears that the petitioners herein state that one Simran Rai has been identified as the person who impersonated himself as the de facto complainant. The allegation against the present petitioners is that they are engaged in this type of illegal activities.
5. In the Civil Suit the transfer has been challenged with a prayer for cancellation of deed and the dispute is subjudice before the civil court.
6. Considering the materials on record and the case diary as placed by the learned counsel for the State and the materials collected by the I. O. at this stage against the petitioners herein, the prayer for anticipatory bail of the petitioners **(Mala Chhetri and Md. Jahid)** is granted.

7. Accordingly, in the event of arrest, the petitioners namely **Mala Chhetri and Md. Jahid** shall be released on bail upon furnishing a bond of Rs. 10,000/- 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 further conditions that the petitioners shall cooperate with the investigation and shall not threaten or intimidate witnesses. The petitioners shall meet the I. O. as and when required till submission of report in final form.
8. CRM (A) 338 of 2026 is, thus, disposed of.
9. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Shampa Dutt (Paul), J.)