

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction**

01.07.2026
Item No. 14
Ct. No. 5
AN

C.R.M. (A) 384 of 2026

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Malbazar Police Station Case No. 332 of 2025 dated 04.07.2025 under Sections 329(4)/75/118(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023 pending before the learned Chief Judicial Magistrate, Jalpaiguri.

In the matter of : **Prabir Chandra Das @ Prabir Das
@ Prabir Ch. Das**

... Petitioner.

Mr. Sudip Guha
Ms. Ankita Nag

...for the Petitioner.

Mr. Avrojoyoti Das, ld. APP
Mr. Atul Dong

...for the State.

1. This is the second anticipatory bail prayer by the petitioner.
2. Mr. Sudip Guha, learned advocate for the petitioner submits that there is a change of circumstance from earlier, in view of the fact that though investigation proceeded against the petitioner for non cognizable offence including that under Section 109 of BNS, 2023, the said offence against the petitioner has been subsequently dropped while filing the charge sheet by the Police.

3. Record reveals that earlier the Court has considered the injury report and recorded serious nature of injury suffered by the victim and also conduct of the petitioner against whom the warrant of arrest is pending to reject the bail prayer.
4. Mr. Avrojoyti Das, Id. APP representing the State has raised strong objection for bail of the petitioner on similar grounds.
5. Having considered the submissions advanced by both the learned advocates for the parties and considering the materials on record, this Court is inclined to dispose of the present application for bail directing the accused persons to surrender before the learned trial court immediately.
6. In the event, the petitioner surrenders before the learned trial court and prays for bail, the trial court upon considering the fact that the investigation of the case has already been concluded and the petitioner's detention would not further be necessary for the purpose of investigation, may grant bail to the accused person, with appropriate conditions to comply with, when on bail.
7. With the above directions, C.R.M. (A) 384 of 2026 stands **disposed of.**

(Rai Chattopadhyay, J.)

