

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

01.07.2026
Item No. 15
Ct. No. 5
AN

C.R.M. (A) 391 of 2026

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Dinhata Police Station Case No. 390 of 2026 dated 01.06.2026 under Sections 316(5) / 318(4) / 336(3) / 340(2) / 351(3) of the Bharatiya Nyaya Sanhita, 2023 pending before the learned Additional Chief Judicial Magistrate, Tufanganj.

In the matter of : **Rupa Deb**

... Petitioner.

Mr. Sayan De
Mr. Rimik Chakraborty

...for the Petitioner.

Mr. Avrojoyti Das, Id. APP
Mr. Raj Kumar Mitra
Ms. Rajyashree Ghosh

...for the State.

1. The petitioner's grievance is that due to political vengeance, she has been framed in a criminal case by the present dispensation.
2. Mr. Sayan De, learned advocate for the petitioner has submitted that after the resignation submitted by the petitioner on 4th May, 2026, the present F.I.R. was started against her on 1st June, 2026. He submits that it is only with mala fide intentions and for the purpose of victimizing the petitioner, she has been entangled in the criminal case whereas she was never involved in the offence as alleged.

3. The petitioner has approached this Court praying for anticipatory bail, without first approaching the trial Court with the similar prayer, whereas the State has raised a question whether the petitioner is at all eligible to do the same or he shall have to mandatorily exhaust the remedy before the trial Court and only then come before this Court. The Similar issues have been dealt with by this Court in CRM(A) 378 of 2026 [Nurjamal Mia and Ors. Vs. State of West Bengal] vide order dated 30th June, 2026. It is found that the facts of the present case would squarely be covered by the decision of the Court made therein.
4. Hence, let the present application for anticipatory bail by the petitioner be disposed of in the light of the decision of the Court as above. It would be proper in accordance with law prevalent on the date, that the petitioner approaches the learned trial court first, before coming to the High Court for anticipatory bail, as she has not pleaded any special or extraordinary circumstance as to why the prayer for anticipatory bail may be considered by the High Court.
5. It is further directed that till the time the learned trial court considers and decides on the prayer for anticipatory bail of the present petitioner, no coercive steps against her should be taken.

6. With the above directions, C.R.M. (A) 391 of 2026 stands
disposed of.

(Rai Chattopadhyay, J.)