

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI

03.07.2026
Ct No.5
Item No.20
Ranita

CRM (A) 441 of 2026

In Re:- An application for Anticipatory Bail under Section 482 of
the Bharatiya Ngarik Suraksha Sanhita, 2023
And

In Re: **Gyanmohan Mandal And Anr.**

.....Petitioners

Mr. Hillol Saha Poddar

...for petitioners.

Mr. Avrojoyti Das, Ld. APP
Mr. Kallal Ghosh
Ms. Rajyashree Ghosh

...for State.

1. The petitioners are the accused persons in connection with Mathabhanga Police Station Case NO.334 of 2026 dated 16.05.2026 under Sections 25 (1) (a)/27 of the Arms Act, 1959.
2. Learned advocate for the petitioners have submitted that the petitioners' name transpired from the co accused persons whereas no recovery could have been made from them and till now no cogent materials regarding their involvement could have been brought on record.

3. Such submissions of the petitioners are vehemently opposed on behalf of the State on the basis of the materials available in C.D. It is submitted that the petitioners are habitual offenders and avoiding process of the Court till now.
4. Having considered the submission of the respective parties and perusing document available in C.D, I find that seizure and recovery has already been made in the instant case. Recovery has been made from the other co accused persons who have been already granted bail by the learned Sessions Judge. Such I do not find that investigation is still at an early stage as submitted by the State.
5. Instead, investigation is seen to have progressed well though charge sheet has not yet been filed.
6. Under such circumstances, I am inclined to allow the petitioners' bail prayer.
7. In the event of arrest the petitioners shall be granted bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local to the satisfaction of the learned Additional Chief Judicial Magistrate, Siliguri. The petitioners shall comply with the condition under Section 482(2) of the BNSS, 2023 and shall cooperate with the investigation in all possible way. They shall not intimidate witnesses in any manner and shall not tamper with the evidence of the case in any manner whatsoever.
8. C.D be returned.

9. Let the petitioners visit the I.O once in every month till submission of charge sheet.

(Rai Chattopadhyay, J.)