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16-11-2026
(ct. no.07)
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In the High Court At Calcutta
Jalpaiguri Circuit Bench

CRM (A) 721 of 2026

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure/Section 482 of the BNSS in connection with **Pradhan Nagar Police Station** Case No. **80 of 2026** dated **31.01.2026** under Sections **126(2)/117(2)/109/324(4)/351(2)(3)/3(5)** of the BNS.

- A n d -

In the matter of : Biswajit Prasad & Anr.

.... Petitioners.

Ms. Rima Sarkar,
Ms. S. Sethia,
Ms. S. Paul,

... For the Petitioners.

Mr. Avrajyoti Das,
Ms. R. Agarwala,
Mr. A. Mittal,

... For the State.

1. The petitioners claim parity citing an order dated June 30, 2026, passed by a Coordinate Bench in CRM (A) 382 of 2026. By that order, two other accused persons were granted anticipatory bail. The petitioners say that they stand on the same footing. Their names were not mentioned in the FIR. Their names transpired from the charge sheet. They pray for anticipatory bail.

2. Learned State Advocate, while opposing the prayer, in his usual fairness, does not dispute that the present petitioners are similarly circumstanced as the other two accused persons who were granted anticipatory bail on June 30, 2026. I am further told that investigation in this case is complete.

3. In view of the aforesaid, I am of the view that immediate custodial interrogation of the petitioners may not be necessary so

long as they cooperate with the police if there be further investigation.

4. Accordingly, in the event of arrest, the petitioners, namely **Biswajit Prasad and Rahul Gupta @ Sah,** 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 learned ACJM, Siliguri and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 until further orders and on further condition that the petitioners shall report to the Inspector in charge of the concerned police station once in a fortnight and also as and when called for until further orders. The petitioners shall go and meet the Inspector in Charge of the concerned police station within three days from date.

5. In case the petitioners fail to adhere to any of the conditions mentioned hereinabove or in Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

6. The application for anticipatory bail being CRM (A) 721 of 2026 is disposed of.

7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)