09.10.2026.
Item No. 15
Court No.7
ap

CALCUTTA HIGH COURT

IN THE CIRCUIT BENCH AT JALPAIGURI

APPELLATE SIDE

C.R.M. (A) 758 OF 2026

In the matter of: An application for anticipatory bail under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 29.09.2026 in connection with Kharibari Police Station Case No. 255 of 2026 dated 29.06.2026 under Sections 318(4)/336(3)/338/340(2)/351(2)/61(2)/3(5) of Bharatiya Nyaya Sanhita, 2023.

And

In re: **Tajmul Ansari**. ... Petitioner.

Mr. Sayan De,
Mr. Rimik Chakraborty. ..... for the petitioner

Mr. Avrojyoti Das, Ld. APP,
Ms. Ruchika Agarwal,
Mr. Nigam Mittal. .... for the State

1. The application for anticipatory bail is canvassed on the ground that the dispute is primarily civil in nature.

2. It is submitted by the petitioner that after a gap of five years, the de facto complainant alleges that the property in the name of his father have been sold wrongly by the petitioner. It is further submitted by him that the petitioner is bona fide purchased the property from one Debraj Rai.

3. Counsel for the State opposes the prayer for anticipatory bail of the petitioner.

4. This Court is of the view that the petitioner must cooperate in the investigation and attend the Investigating

Officer of the case as and when summoned. The petitioner shall be entitled to anticipatory bail.

5. It is directed that in the event of arrest, the petitioner shall be released on bail to the satisfaction of the learned Additional Chief Judicial Magistrate, Darjeeling at Siliguri upon furnishing a bond of Rs.50,000/- with two sureties of Rs.25,000/- each, one of whom must be local subject to the conditions that after release, the petitioner shall not leave the jurisdiction of Kharibari Police Station without the prior consent of the Officer-in-charge, Kharibari Police Station and shall co-operate in the investigation and report before the Arresting Officer as and when summoned until further orders and on further condition that he shall furnish any changed address or contact number to the Arresting Officer and surrender his passport, if any. The petitioner shall appear before the jurisdictional Court and pray for regular bail within four weeks from date.

6. This order is subject to the conditions laid down in sub-section (2) of Section 438 of the Code of Criminal Procedure corresponding to Section 482(2) of the BNSS, 2023.

7. In default of compliance of any of the aforesaid condition, the bail of the petitioner shall stand automatically cancelled.

8. Case Diary be returned.

9. C.R.M. (A) 758 of 2026 is allowed and disposed of.

10. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)