S.L.12.
Ct. 05

01.10.2026
Bd.
Allowed.

In the High Court at Calcutta

Circuit Bench at Jalpaiguri

CRM (R) 42 of 2026

Akash Pandit

Vs.

State of West Bengal

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Pundibari Police Station case no. 456 of 2019 dated 02.09.2019 under Sections 341/325/326/307/354/379/506/34 of the IPC, corresponding to sections 126(2)/117(2)/118(2)/109/74/303(2)/351(2)/(3)/3(5) of BNS 2023.

Mr. Arnab Saha
Mr. Shoaib Aktar ...for the petitioner

Mr. Janardan Periwal
Mr. Reshab Kumar
Mr. Shyamal Barman ... for the State.

In this application the petitioner has prayed for bail stating that he is in custody for about 53 days.

It is submitted on behalf of the petitioner that from the FIR it is clear that allegation has been principally levelled against another accused namely accused no. 1, but the said accused and other accused persons have obtained anticipatory bail from this Court.

He further submits that this petitioner also obtained anticipatory bail from this Court vide order dated 18th March, 2026 wherein the petitioner was asked to furnish local surety, which he could not obtain, therefore, he affirmed an application prior to 7th August, 2026. While

he was preparing to move that application before the Court he was arrested on 07.08.2026.

However, learned Trial court rejected his bail prayer mainly on the ground that the accused was asked to surrender before the Trial Court by this High Court while anticipatory bail was granted to him but he has not complied the direction.

Learned counsel appearing on behalf of the State opposed the bail prayer and contended that though he was arrested on 07.08.2026 but the application for relaxation was filed while he was in custody. Since he has suppressed the said fact his bail prayer is liable to be rejected.

Having heard learned counsel appearing on behalf of both the parties and considering the materials available on record in respect of the present petitioner, the prayer for bail made by the petitioner is allowed.

Accordingly, the petitioner namely, **Akash Pandit,** shall be released on bail upon furnishing a bond of Rs. 5,000/- with two registered sureties of Rs. 2,500/- each, subject to the satisfaction of the learned Chief Judicial Magistrate, Coochbehar and also on condition that the accused person shall not misuse the liberty granted by this Court and he shall not tamper with any evidence orally or documentary during the trial. He shall not absent himself on any day during trial and shall not commit any offence while on bail. He shall give his mobile phone

number to the local police station and shall not change it without prior permission of the trial court and he shall not in any manner try to delay the trial. The court below will be at liberty to cancel the bail in the event of violation of any of the conditions without making any further reference to this court.

Be it mentioned, that anything said herein shall not be construed as an expression of opinion on the merit of the case.

Accordingly, CRM (R) 42 of 2026 is disposed of.

Urgent Photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)