17.11.2026
Item no. 16.
Court No.7.
AB
(Allowed)

Calcutta High Court
In the Circuit Bench at Jalpaiguri

CRM (A) 790 of 2026

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973/Under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Cooch Behar Kotwali Police Station Case No.781 of 2026 Dated 03.08.2026 under Sections 126(2)/115(2)/118(2)/3(5) of the B.N.S. 2023

And

In the matter of : Ashok Barman @ Ashok Das & Others

.....Petitioners.

Dr. Arjun Chowdhury,
Ms. Sunayana Parveen,
Ms. Riya Agarwala,
Mr. Subhodeep Jha .....for the Petitioners.

Mr. Avrojyoti Das, ld. APP
Mr. Debanjan Das,
Mr. Abhilash Mittal .....for the State.

1. The petitioners are three of eight accused persons. The allegation is under Section 326 IPC.

2. The petitioners say that the alleged incident has been blown out of proportion. There was an altercation between them and the defacto complainant at a “dhaba”. There is no injury report available as of now. They are fully prepared to cooperate with the Investigating Officer. They pray for anticipatory bail.

3. Learned Counsel for the petitioners also points out that one accused person was arrested and was granted regular bail. Another accused person has been granted

anticipatory bail by a Coordinate Bench of this Court. All the accused persons are similarly circumstanced.

4. Learned State Counsel opposes the prayer. He says that investigation is still not complete. Charge sheet is yet to be filed. The Investigating Officer has not yet collected the injury report.

5. I have considered the facts and circumstances of the case. The nature of allegations and the absence of injury report persuade me to hold that this is not a case where immediate custodial interrogation of the petitioners may be necessary so long as they fully cooperate with the Investigating Officer.

6. Accordingly, in the event of arrest, the petitioners, namely **Ashok Barman @ Ashok Das, Bikash Das** and **Guddu Barman @ Jebesh Barman** 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 arresting officer and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 until further orders and on further condition that the petitioners shall report to the Investigating Officer on 19.11.2026 at 12.30 p.m. and thereafter shall meet him as and when directed to do so until further order.

7. In case the petitioners fail to adhere to any of the conditions mentioned in Section 438(2) of the Code of

Criminal Procedure, 1973/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.

8. CRM (A) 790 of 2026 stands disposed of.

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

(Arijit Banerjee, J.)