

09.01.2026
Item no. 08.
Court No.3.
Rakib
(Allowed)

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction**

CRM (A) 979 of 2025

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 Mal Bazar Police Station Case No. 479 of 2025 dated 22.10.2025 under Sections 329(4)/64/62/74/115(2)/351(3)/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of : Bapi Alam @ Nabiul Islam.

.....Petitioner.

Mr. Anirban Banerjee

.....for the Petitioner.

Mr. Tapan Bhattacharjee

Mr. Dhiman Sil

.....for the State.

Mr. Joydeep Kanta Bhowmik

Ms. Sayantani Das

....for the de-facto complainant.

Pursuant to the earlier direction dated 07.01.2026 the Case Diary of Mal Bazar Police Station case no. 475 of 2025 has been produced.

The records of the Case Diary reflect that in the said case the accusations are principally against the accused no.1 being one Sahidul Rahaman. From the letter of complaint which has been treated to be the FIR being Mal Bazar Police case no. 475 of 2025 it reflects that the accused no.4 namely, Sari Maddin threatened the complainant of the case and her family members

as also was aggressively stating that he would set ablaze the houses of the complainant and her family members.

The de-facto complainant of Mal Bazar Police Station case no. 479 of 2025 dated 22.10.2025 is the wife of the accused no.4 namely the aforesaid Sari Maddin. Both the cases were registered in close proximity of time.

So far as the present case is concerned, I find that the de-facto complainant of the said case refused the medical examination and the accusations also deal with attempt to commit the offence.

Having regard to the totality of circumstances, I am of the view that the custodial detention of the present petitioner may not be warranted in the facts and circumstances of both the case.

It has also stated on behalf of the State that charge-sheet has been submitted.

Accordingly, the prayer for anticipatory bail of the petitioner in Mal Bazar Police Station case no. 479 of 2025 dated 22.10.2025 is **allowed**.

As such, I direct that in the event of arrest, the petitioner namely, **Bapi Alam @ Nabiul Islam** be released on bail upon furnishing a bond of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties of Rs. 10,000/- (Rupees Ten Thousand only) each, one of whom must be local to the satisfaction of the investigating officer/arresting officer of the case and also subject

to the conditions as laid down under Section 438(2) of the Cr.P.C. and/or under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

With the aforesaid observations CRM (A) 979 of 2025 is **allowed.**

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)