20.11.2026.
28.
Ct. No.07.
PRITAM
[ALLOWED]

In the Circuit Bench at Jalpaiguri
Appellate Side

C.R.M. (A) 814 of 2026

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Kuchlibari** Police Station Case No.**72** of **2026** dated **09.07.2026** under Sections **329(3)/115(2)/109/3(5)** of the BNS, 2023.

And

In Re: **Jibon Kumar Roy & Ors.**

..... petitioners.

Mr. Sourav Kar,
Ms. Tanusree Baishya.

.... for the petitioners.

Mr. Urgeen Lama,
Mr. Rajdeep Das.

....for the State.

1. The learned advocate for the petitioners says that this application for anticipatory bail has become infructuous insofar as the petitioner nos.3 and 7 are concerned. They were arrested and the petitioner no.7 has already been granted regular bail.

2. Insofar as the other petitioners are concerned, learned advocate says that the alleged incident was the fallout of a land dispute. There are cases and counter-cases. The injury suffered by the victims is simple. Custodial interrogation of the petitioners will not be necessary. They pray for anticipatory bail.

3. The State advocate shows me the material in the case diary. There does appear to be allegations and counter-allegations. No grievous injury has been suffered by the victim.

4. On an overall assessment of the facts and circumstances and the nature of allegations, I am of the view that immediate custodial interrogation of the petitioner nos.1, 2, 4, 5 and 6 will not be necessary so long as they co-operate with the Investigating Officer.

5. Accordingly, in the event of arrest, the petitioners, namely **Jibon Kumar Roy, Arun Kumar Roy, Tarun Kumar Roy, Kapil Roy & Kingshuk Roy,** 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 also shall abide by the conditions as 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 petitioner nos.1, 2, 4, 5 and 6 shall report to the Investigating Officer within three days from date and as and when called for, until further orders.

6. In case the petitioner nos.1, 2, 4, 5 and 6 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.

7. The application for anticipatory bail being CRM (A) 814 of 2026 stands disposed of.

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

(Arijit Banerjee, J.)