

13.01.2026

Item No.24

Ct.No.3

dc.

Partly Allowed

IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI

C.R.M. (A) 1009 of 2025

In Re : An Application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Banarhat Police Station Case No. 288 of 2025 dated 30.11.2025 under Sections 126(2)/118(1)/118(2)/117(2)/303(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In Re : **Jafar @ Jaffar Khan and others**

... Petitioners.

Mr. Subrata Karmakar,
Mr. Santanu Bhowmik,
Ms. Rinka Chakraborty

... For the Petitioners.

Mr. A. S. Chakraborty, APP,
Mr. Tapan Bhattacharjee,
Mr. Dhiman Sil

... For the State.

Mr. Sudip Guha,
Ms. Ankita Nag

... For the *de facto* complainant.

Learned advocate appearing for the petitioners, at the inception, submits that petitioner no.3 viz. Imtiaj Ansari @ Md. Intaj has already been arrested in connection with the instant case. Considering the same, the prayer for anticipatory bail of the petitioner No.3 viz. **Imtiaj Ansari @ Md. Intaj** is **rejected**.

Learned advocate for the petitioners submits that there was business rivalry. Consequent to which petitioners have been falsely implicated in connection with the instant case

and as such, they may be granted the privilege of anticipatory bail.

Learned advocate appearing for the *de facto* complainant submits that information was sent to the police authorities on 30.12.2025 that the family members of the injured, were being threatened.

Learned Additional Public Prosecutor appearing for the State has produced the case diary.

I have considered the medical report as well as the statement of the injured recorded under Section 183 of the BNSS. Having considered the names which have transpired in the judicial statement, I am of the view that there is direct allegation against the petitioner nos. 1 and 2. As such, the prayer for anticipatory bail of the petitioner No.1 viz. **Jafar @ Jaffar Khan** and petitioner No.2 viz. **Gulab Khan** is **rejected**.

So far as the petitioner nos. 4 and 5 are concerned, *prima facie*, I am of the view that their custodial detention for the purposes of the present case is unwarranted. As such, the prayer for anticipatory bail of the petitioner Nos. 4 and 5 is **allowed**.

Accordingly, in the event of arrest, the petitioner No. 4 viz. **Pappu Alam @ Md. Ishaque Alam** and petitioner No. 5. viz. **Md. Musu @ Md. Ajaj** shall be released on bail upon furnishing bond of Rs.20,000/- each, with two sureties of Rs.10,000/- each, one of whom must be local, to the satisfaction of the Arresting Officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure,

1973 corresponding to Section 482(2) of the Bharatiya
Nagarik Suraksha Sanhita, 2023.

The application for anticipatory bail, being CRM (A)
1009 of 2025, is, thus, disposed of.

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

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

(Tirthankar Ghosh, J.)