

28.04.2026
Item no.12.
Court No.5.
(Samar)
(Allowed)

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

CRM (A) 257 of 2026

In Re: An Application for Anticipatory Bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Siliguri Police Station Case No. 746 of 2024 dated 10.05.2024 under Sections 126(2)115(2)/109/351(2) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of : Arkoprovo Saha

.....Petitioner.

Mr. Sidhi Sethia,
Ms. Rima Sarkar,
.....for the Petitioners.

Mr. Nilay Chakraborty, Ld. APP.,
Mr. Ujjwal Luksom
Mr. Biswarup Roy,
.....for the State.

Ms. Suparna Paul,
.... for the victim.

Mr. Sethia, learned advocate appearing for the petitioner, submits that the present proceeding has been initiated on the basis of a complaint filed by a neighbor and not by the victim herself. He further submits that the victim is the mother of the present accused person, and that it was the petitioner who took her to the hospital and arranged for her medical treatment, which is reflected in the medical documents. He contends that no such incident, as alleged, occurred at all. In view thereof, he argues that custodial interrogation of the present petitioner is not necessary.

During the course of hearing, the mother appeared before this Court through Ms. Paul, learned advocate, and is also personally present in Court today. Ms. Paul submits that no such incident occurred and that the mother has no objection to the application being allowed.

Mr. Chakraborty, learned advocate appearing for the State, produces the case diary and leaves the matter to the discretion of the Court.

Heard the learned advocates appearing for the respective parties and perused the materials on record, including the case diary and the injury report. Taking note of the submissions made on behalf of the victim and upon further consideration of the allegation that the incident occurred in presence of direct evidence, I am of the view that custodial interrogation of the present petitioner will not serve any useful purpose.

Accordingly, it is directed that, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten Thousand only), with two sureties of Rs. 5,000/- (Rupees Five Thousand only) each, to the satisfaction of the learned ACJM, Siliguri, subject to the conditions laid down under Section 482(2) of the BNSS.

The application being CRM (A) 257 of 2026 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

(Partha Sarathi Chatterjee, J.)