

10.06.2026
Item no.8.
Court No.5.
MKP

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

CRM (A) 301 of 2026

In Re: An Application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

And

In the matter of : Avishek Gupta@Abhishek Kumar Gupta

.....Petitioners.

Mr. Jaydeep Kanta Bhowmik
Mr. Sayantan Bhowmik
Mr. Shubham Kumar
Ms. Jasmin Haque

.....for the Petitioners.

Mr. Avro Jyoti Das, Ld. APP.
Ms. Panchali Deb Sikhdar(Nag)

.....for the State.

- 1.** The petitioner herein prays for anticipatory bail apprehending arrest in connection with Dhupguri Police Station Case No.396 of 2025 dated 01.11.2025, under Section 329(4)/118(2)/109(1)/61(2) of BNS, 2023, corresponding to G.R.Case No.3193 of 2025 pending before the Court of Learned Chief Judicial Magistrate, Jalpaiguri.
- 2.** Learned Counsel for the petitioner has argued on the point that co-accuseds have been granted anticipatory bail in the present case.

3. On perusal of the said orders, it appears that the Learned Session Judge, was pleased to grant the anticipatory bail, to the some of the accuseds as they were not FIR named.
4. It appears that the petitioner herein, Avishek Gupta@Abhishek Kumar Gupta, is the accused no.1 in the present case and on perusal of the materials on record, it appears that it is this petitioner who led a group of 5 to 6 persons to the house of the complainant and allegedly assaulted the husband of the complainant.
5. On perusal of the case diary, and the medical reports, it appears that victim in the present case **suffered multiple scalp injuries and was even given stitches**. There were injuries also on the face, mouth and multiple abrasions and these medical papers substantiate the case of the complainant that her husband was physically assaulted.
6. Considering the nature of injuries including the head injuries, this Court is of the view that this is not a fit case to grant anticipatory bail, to the petitioner herein.
7. Accordingly the prayer for anticipatory bail in respect of petitioner stands **rejected**.
8. The application being CRM (A) 301 of 2026 stands, **disposed of**.

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

(Shampa Dutt (Paul), J.)