

10.08.2026
Item no. 03.
Court No.11.
S.De
1635
(Allowed)

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

CRM (A) 436 of 2026

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 Alipurduar Police Station Case No.232 of 2026 Dated 27.05.2026 under Sections 126(2)/75/76/77/351(2) of the B.N.S. 2023.

And

In the matter of : Gourab Ray @ Roy.

.....Petitioner.

Mr. Sourav Ganguly,
Mr. Bibek Tarafder,
Mr. Gopal Roy,
Ms. Rishita Chakraborty,for the Petitioner.

Mr. Avrojoyti Das, Ld. APP,
Mr. Raj Kumar Mitra,
Ms. Rajyashree Ghosh,for the State.

1. The petitioner says that this false complaint has been engineered by the complainant's brother-in-law. In fact, there was a relationship between the petitioner and the complainant which has become assiduous. The petitioner is fully co-operating with the Investigating Officer. He has met the Investigating Officer pursuant to directions of this Court. He prays for pre-arrest bail.
2. Learned State counsel opposes the prayer. He says that the data that has been collected from the petitioner's

mobile phone is inadequate. Further investigating is necessary.

3. Nobody stops the Investigating Officer from carrying on such investigation as is necessary.
4. However, on an overall assessment of the facts and circumstances of the case and considering the conduct of the petitioner till now, I am of the view that immediate custodial interrogation of the petitioner may not be necessary so long as the petitioner co-operates with the Investigating Officer.
5. Accordingly, in the event of arrest, the petitioner, namely **Gourab Ray @ Roy** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and shall abide by the conditions 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 he shall report to the Investigating Officer of this case as and when called for.
6. In case the petitioner fails 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) 436 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.)