

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri**

09.07.2026
Item No. 47
Ct. No. 5
S.De

CRM(A)/491/2026

In the matter of : **KHODABOX KABERIA @ MD KHODA
BAKKAS KIBRIA AND ORS**

... Petitioner.

Mr. Tannu Agarwal

...for the petitioner

Mr. Avrojoyti Das, Id. APP

...for the State.

1.The petitioners has prayed for anticipatory bail in connection with Kotwali P.S. Case No-199 of 2026 dated 05.05.2026 under Section 109/115(2)/118(2)/126(2)/324 (4) Bharatiya Nyaya Sanghita, 2023, read with Section 25/27 of Arms Act, pending before the learned Chief Judicial Magistrate, Jalpaiguri.

2. The learned advocate for the petitioners has appeared and submitted that on the ground of parity, the petitioners may be released on bail insofar as amongst the 37 accused persons named in the FIR, one has been granted anticipatory bail by this court earlier.

3. He has further submitted that the petitioners stand on the same footing with the person who has already been enlarged on bail.

4. Further, he has stated that the petitioners shall cooperate with the investigation and has no scope to escape the process of court.

5. Mr. Das, learned advocate appearing for the state has submitted that that the state contemplates to appeal against the order of the court earlier granted order of the court of anticipatory bill earlier granted by this court with a order dated 30/6/2026 in CRM(A)/389/2026.

6. Having considered submissions of both the learned advocates for the respective parties, it is found proper to adjourn the matter today on prayer of the learned advocate for the state.

7. However, let there not be any coercive action against the present petitioners until and unless any order is passed by the Hon'ble Appeal Court in the forthcoming appeal, in the appeal to be filed.

8. In the order passed by the Hon'ble Appeal Court was the case is disposed of by this Court.

9. Place the matter before the next Circuit Bench.

(Rai Chattopadhyay, J.)