

30.07.2026
SL No.13
Court No.11
(gc)

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI

CRM (A) 495 of 2026

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Dinhata Police Station Case No.237 of 2024 dated 19.04.2024 under Sections 341/323/325/354/307/379/506/34 of the Indian Penal Code.

And

In the matter of : **Mrinal Miah @ Minarul Islam**

- Petitioner.

Mr. Sudip Guha

....For the Petitioner.

Mr. Avrojoyti Das, Ld. APP.,

Mr. Bijay Bikram Das,

Mr. Supratim Nag

... For the State.

1. The petitioner prays for pre-arrest bail in connection with Dinhata Police Station Case No.237 of 2024 dated 19.04.2024 under Sections 341/323/325/354/307/379/506/34 of the Indian Penal Code.
2. The police officers, who were directed to be present before the Court have complied with the direction.
3. Mr. Sudhabrata Mukherjee, the erstwhile investigating officer, denies his signature on the case diary which was forwarded to the Court.
4. Mr. Antony Horo, who is the Sub-Inspector, submits that he had only signed the forwarding letter without verifying the contents. He is unaware about the preparation of the case diary. Thus, it

appears to this Court that the case diary and the contents thereof have been forged, Mr. Mukherjee only accepts his signature on the charge-sheet, which has been filed before the Court. On the earlier occasion, it was informed to the learned APP by the police station that the original case diary was untraceable from the court of the learned ACJM, Dinhata. Subsequently, the case diary, which has been produced before this Court was forwarded. The ACJM has sent a report from which it appears that I.C., Dinhata produced the CD before the Court, which was directed to be sent to the Registry of this Bench by the learned ACJM, Dinhata. The CD does not appear to be the original one or a copy thereof. Mr. Mukherjee denies his signature and submits that the statements of the accused as reflected in the CD were not in his handwriting.

5. The S.P., Cooch Behar will make an investigation into this matter and take appropriate measures upon pinning the responsibility on the officer/officers, who were allegedly responsible for such illegal activity.
6. The prayer for pre-arrest bail is contingent upon the Court perusing the injury report or the medical report. However, this Court is unable to rely on the documents, which have been produced under the signature of Mr. Horo vide forwarding note dated July 24, 2026.
7. It appears that other 21 persons had already been granted anticipatory bail and charge-sheet has been filed.
8. The petitioner will appear before the jurisdictional court and pray for regular bail within two weeks from date.

9. Under such circumstances, no coercive measure shall be taken against the petitioner for a period of two weeks from date.
10. The petitioner will not leave the jurisdiction of the Dinhata police station.
11. The report of the learned ACJM, Dinhata is taken on record.
12. The case diary which was submitted is returned to the learned APP in a sealed cover which shall be forwarded to the S.P., Cooch Behar.
13. The Registry is directed to forward a copy of the report of the ACJM, Dinhata to the S.P., Cooch Behar.
14. The presence of the police officers is dispensed with.
15. Accordingly, the application for anticipatory bail is disposed of.
16. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Shampa Sarkar, J.)