

**CALCUTTA HIGH COURT  
In the Circuit Bench at Jalpaiguri  
Appellate Side**

**CRM (A) 626 of 2025**

**Re:** An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

In the matter of : **Sri Ramesh Shah alias  
Rameshwar Shah & Anr.**

..... petitioners

**Mr. Sanjay Mazumdar  
Mr. Sitesh Kumar Gupta  
Mr. N. Tamang**

..... For the petitioners

**Mr. Nilay Chakraborty, APP  
Mr. Saikat Chatterjee**

.....For the State

**Mr. Hillol Saha Podder**

..... For the *de facto* complainant

Apprehending arrest in connection with Pradhan Nagar Police Station Case No. 511 of 2025 dated 24.07.2025 under Sections 319(2)/318(4)/336(3)/338/61(2) of Bharatiya Nyaya Sanhita, 2023, the present application has been preferred.

Mr. Mazumder, learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated. There had been an attempt on the part of the *de facto* complainant to criminalize a civil dispute. Pursuant to the earlier order passed by this Court on 9<sup>th</sup> September,

2025, the petitioners cooperated with the investigating officer. In the said conspectus, custodial interrogation of the petitioners may not be necessary moreso when there is no possibility that the petitioners would flee from justice.

Mr. Chakraborty, learned Additional Public Prosecutor appearing for the State, however, disputes the contention of Mr. Mazumder and submits that investigation is still continuing.

Mr. Podder, learned advocate enters appearance on behalf of the *de facto* complainant and opposes the petitioners' prayer.

Records reveal that there is an existing civil suit between the parties. The petitioners herein also preferred a civil revision application challenging an order of refusal to pass an *ad interim* order of injunction in the pending suit. In the said conspectus, it cannot be ruled out that the dispute has been given a criminal profile.

Considering the gravity of offence, the nature of allegations and the extent of complicity of the petitioners in the alleged offence, I am of the opinion that their custodial interrogation is not necessary.

In view thereof, we allow this application and direct that in the event of arrest the petitioners, namely, **Sri Ramesh Shah alias Rameshwar Shah** and **Smt Usha Devi** shall be released on bail upon furnishing a bond of

Rs.10,000/- each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with a further condition that the petitioner no. 1 shall meet with the investigation officer once in a fortnight till completion of investigation.

In the event the petitioners fail to comply with the aforesaid directions, without any justifiable cause, the learned Court below shall be at liberty to cancel their bail, without any further reference to this Court.

The application for anticipatory bail, being **CRM (A) 626 of 2025**, is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

**(Tapabrata Chakraborty, J.)**