

26.11.2024
08
as
[ALLOWED]

C. R. M. (A) 3981 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Berhampore Police Station Case No. 1545 of 2024 dated 09.10.2024 under Sections 308(2)/126(2)/117(2)/118(2)/109(1)/3(5) of the Bharatiya Nyaya Sanhita, 2023.

In Re: ***Trinath Sain & Anr.***

... .. Petitioners

Mr. Kingsuk Mondal.

... .. for the petitioner

Mr. Santanu Talukdar.

... .. for the State

1. Petitioners submit a criminal case had been lodged against the de-facto complainant in July, 2024. In retaliation, they have been falsely implicated. Accordingly, they pray for bail.

2. Learned Advocate for the State produces the Case Diary including the medical report.

3. We have considered the materials on record. There were disputes and differences between the petitioners and the de-facto complainant. Earlier a criminal case had been registered against the de-facto complainant. Though de-facto complainant was hospitalized, the injuries do not appear to be grievous.

4. Under such circumstances, we are inclined to grant anticipatory bail to them.

5. Accordingly, we direct that in the event of arrest, the petitioners viz., ***1) Trinath Sain and 2) Nrisingha Prasad Dhar*** be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under Section 482(2) of the BNSS. They shall appear

before the jurisdictional court and pray for regular bail within four weeks from date.

6. The application for anticipatory bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)