

29.11.2024
SI No.26
s.biswas
(Allowed)

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

CRM (A) 937 of 2024

In Re: An application for anticipatory bail under Section 482 of the BNSS in connection with **Mathabhanga** Police Station Case No. **782/2024** dated **16.10.2024** under Sections **126(2)/15(2)/117(2)/109(1)/303(2)/351(2)/3(5)** of the BNSS.

And

In the matter of: **Debasish Barman & ors.**

... Petitioners

Mr. Arijit Ghosh
Ms. Angana Rakshit

... for the petitioners

Mr. Saikat Chatterjee
Mr. Chattu Roy

... for the State

1. Petitioners pray for anticipatory bail on the ground that the petitioners have been falsely implicated only because the petitioners had asked the complainant for some subscription for their Shyamapuja.
2. Learned counsel for the State produces the case diary and opposes the prayer for anticipatory bail.
3. We have perused the case diary. We have also considered the materials on record and the injury report. The incident took place in the presence of direct evidence. Upon considering all these aspects, we are of the view that custodial interrogation of the petitioners is not necessary. The benefit of Section 482 of the BNSS corresponding to Section 438 of the Cr.P.C. can be extended to the petitioners.

4. Accordingly, we direct that in the event of arrest, the petitioners be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of equal amount, one of whom must be local, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 482(2) of the BNSS corresponding to Section 438(2) of the Cr.P.C. and on further condition that the petitioners shall meet the investigating officer once in a fortnight until further orders.
5. The application for anticipatory bail is, thus, disposed of.

(Partha Sarathi Chatterjee, J.)

(Shampa Sarkar, J.)