

10.01.2025
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as
[ALLOWED]

C. R. M. (A) 87 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Karimpur Police Station Case No. 254 of 2023 dated 29.11.2023 under Sections 341/326/307/34 of the Indian Penal Code.

In Re: ***Ashim Bhunia @ Bhuia & Anr.***

... .. Petitioners

Mr. Amanul Islam,
Mr. Sourav Mukherjee.

... .. for the Petitioners

Ms. Sonali Das,
Mr. Debarshi Brahma.

... .. for the State

1. Petitioners submit there is inordinate delay in lodging First Information Report. Victim suffered accidental burn injury. Subsequently, they have been falsely implicated. Accordingly, they pray for anticipatory bail.

2. Learned Advocate for the State opposes the prayer for anticipatory bail.

3. We have considered the materials on record. In the FIR, it is alleged petitioners and others had set the victim on fire as he had demanded outstanding dues. However, in the medical report history of injury is noted as accidental burn. There is delay in lodging FIR.

4. In light of the aforesaid dichotomy with regard to the genesis of the incident and delay in lodging First Information Report, we are inclined to grant anticipatory bail to the petitioners.

5. Accordingly, we direct that in the event of arrest, the petitioners ***Ashim Bhunia @ Bhuia and Swapna Bhunia @***

Bhuia @ Bhuiya 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.)