

06.02.2025
Sl. No.35
akd
[ALLOWED]

C. R. M. (A) 293 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 21.01.2025 in connection with Bhimpur Police Station Case No.334 of 2024 dated 26.12.2024 under Sections 329(4)/126(2)/117(2)/118(2)/109/352/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In Re: ***Rathindra Nath Mondal & Anr.***

... .. Petitioners

Mr. Satadru Lahiri
Md. Musharraf Hossain
Mr. Syed Wasim Farooque

... .. for the petitioners

Mr. Soumik Ganguly
Mr. Atanu Ghosh

... .. for the State

1. It is submitted on behalf of the petitioners incident arose in course of a sudden quarrel. Accordingly, they pray for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail and submits petitioner no.1 has criminal antecedents.
3. We have considered the materials on record. Incident arose in course of a sudden quarrel. Assault is not pre-medicated. Under such circumstances, we are of the opinion custodial interrogation of the petitioners is not necessary and they may be granted anticipatory bail however, subject to strict conditions.
4. Accordingly, we direct in the event of arrest, the petitioners, namely, ***(1) Rathindra Nath Mondal & (2) Narayan Mondal***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) 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 Bharatiya Nagarik Suraksha

Sanhita, 2023 and on further condition that the petitioner no.1, while on bail, shall not enter the jurisdiction of Bhimpur Police Station and shall provide the address where he shall presently reside to the Investigating Agency as well as the jurisdictional court and shall report to the Officer-in-charge of the police station concerned within whose jurisdiction he shall presently reside once in a week until further orders. Petitioners shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

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

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)