

06.02.2025
Sl. No.43
akd
[PARTLY
ALLOWED]

C. R. M. (A) 303 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 22.01.2025 in connection with Chakdah Police Station Case No.33 of 2025 dated 08.01.2025 under Sections 126(2)/118(2)/76/351(3)/79/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In Re: ***Biplab Kirtania @ Kirtoniya & Ors.***

... .. Petitioners

Mr. Shibaji Kumar Das
Mr. Dipendu Sarkar

... .. for the petitioners

Mr. Sauradeep Dutta

... .. for the de-facto complainant

Ms. Manisha Sharma
Mr. Dattatreya Dutta

... .. for the State

1. Heard learned Advocates for the respective parties.
2. We have considered the materials on record. Statements of witnesses disclose involvement of third petitioner in causing serious injury and hospitalization. In such view of the matter, we are not inclined to grant anticipatory bail to petitioner no.3.
3. Accordingly, the prayer for anticipatory bail of petitioner no.3 namely, ***(3) Goutam Biswas*** is rejected.
4. However, keeping in mind the extent of complicity of first and second petitioners in the crime, we are of the opinion custodial interrogation of petitioner nos.1 and 2 is not necessary and they may be granted anticipatory bail.
5. Accordingly, we direct in the event of arrest, the petitioner nos.1 and 2 namely ***(1) Biplab Kirtania @ Kirtoniya & (2) Narayan Kirtania @ Kirtanoya @ Kirttaniya***, be released on bail upon furnishing 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 nos.1 and 2 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.

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)