

D/L71

06.02.2025
Rohit
ct.no.28

C.R.M. (A) 332 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Jagacha Police Station Case No. 172 of 2024 dated October 08, 2024 under Sections 318(4)/316(2)/61(2) of the Bharatiya Nyaya Sanita, 2023

And

In Re: **Subasish Bera**

...Petitioner

Mr. M.L. Podder
Mr. Sanjoy Ghosh
Mr. Saheb Mallick

...for the petitioner

Ms. Subhasree Patel
Ms. Jonaki Saha

...for the State

1. Heard learned Advocates for the parties.
2. Petitioner submits that the dispute is civil in nature. Co-accused has been granted pre-arrest bail. He prays for similar relief.
3. Learned lawyer for the State opposes the prayer.
4. We have considered the materials on record. It was alleged that co-accused Sudipta Pal along with the petitioner had failed to construct a puja pandal. Noting the dispute at its height disclose breach of contractual obligation, Sudipta Pal has been granted pre-arrest bail. Petitioner is entitled to similar relief.

5. Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.
6. Accordingly, we direct that in the event of arrest, the petitioner viz., **Subasish Bera** be released on bail upon furnishing a bond of Rs.10,000/- 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. Petitioner shall appear before the jurisdictional court and pray for regular bail within four weeks from date.
7. The application for anticipatory bail is, thus, disposed of.

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)