

11.02.2025
Sl. No.32
akd
[ALLOWED]

C. R. M. (A) 443 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 06.02.2025 in connection with Baguiati Police Station Case No.43 of 2025 dated 19.01.2025 under Sections 126(2)/115(2)/117(2)/303(2)/351(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023. (G.R. Case No.241 of 2025)

And

In Re: ***Kallol Podder & Anr.***

... .. Petitioners

Mr. Imtiaz Ahmed
Mrs. Ghazala Firdous
Mr. Sk. Saidullah
Mr. Mithun Mondal
Md. Arsalan

... .. for the petitioners

Mr. Rudradipta Nandy .. Id. Addl. Public Prosecutor
Md. Yaser A. Ismail

... .. for the State

1. It is submitted on behalf of the petitioners that petitioner no.1 is the tenant under the de-facto complainant. He was forcibly dispossessed and lodged complaint with police. No steps were taken. Petitioners have been falsely implicated. Accordingly, they pray for anticipatory bail.

2. Learned Additional Public Prosecutor opposes the prayer for anticipatory bail and submits petitioner no.1 assaulted the de-facto complainant.

3. We have considered the materials on record. Dispute arose between the landlord and tenant. It is contended petitioner no.1 i.e. the tenant was forcibly evicted and no steps have been taken by police. Injury report does not disclose grievous injuries. Under such circumstances, we are of the opinion custodial interrogation of the petitioners is not necessary and they may be granted anticipatory bail.

4. Accordingly, we direct in the event of arrest, the petitioners, namely, **(1) Kallol Podder & (2) Kamal Podder**, 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 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.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)