

28.03.2025

DL-5
(AD)
(Allowed)

C.R.M. (A) 457 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with G.R. Case No.3576 of 2024 arising out of **Asansol North** Police Station Case No.**633 of 2024** dated **23.12.2024** under Sections **64/351(2)/61(2)** of Bharatiya Nyaya Sanhita, 2023, presently pending before the Court of the Learned District & Sessions Judge, Asansol, Paschim Bardhaman.

And

In the matter of: **Bibek Burnwal**

....petitioner

Mr. Avik Ghatak, Advocate

Mr. Saibal Krishna Dasgupta, Advocate

...for the petitioner

Ms. Shaila Afreen, Advocate

Mr. Sasanka Sekhar Saha, Advocate

... for the State.

Ms. Lata Patil Modak, Advocate

... for the de facto complainant.

1. Report as called for by the order dated February 25, 2025 filed in Court be taken on record.
2. Mobile phone of the petitioner which was surrendered to the Investigating Officer was sent for forensic examination. No offensive material was found from such mobile phone.
3. Learned Advocate appearing for the de facto complainant submits that, her client received a threatening call from a person claimed to be the friend of the petitioner. Her client lodged a complaint with the police.
4. Police will consider such complaint of the de facto complainant, in accordance with law.
5. Even on the strength of such complaint, it is not the petitioner who made the allegedly threatening call to the de facto complainant.

6. Mobile phone seized by the police does not show up any incriminating material against the petitioner. Petitioner is already on anticipatory bail passed by the Coordinate Bench.
7. Police filed charge sheet.
8. Need for placing the petitioner in custody in such circumstances is not felt.
9. In such circumstances, we confirm such interim bail.
10. Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only), 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 condition that the petitioner shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default, the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.
11. The prayer for anticipatory bail of the petitioner is allowed.
12. **C.R.M. (A) 457 of 2025** is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)