

C. R. M. (A) 528 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 10.02.2025 in connection with Hirapur Police Station Case No.354 of 2024 dated 17.12.2024 under Sections 191(2)/191(3)/190/115(2)/117(2)/109/351(3)/3(5) of the Bharatiya Nyaya Sanhita, 2023. (G.R. Case No.352 of 2024)

And

In Re: ***Rameshwar Singh & Ors.***

... .. Petitioners

Mr. Sabir Ahmed
Md. Bani Israil
Mr. Syed Md. Sayad

... .. for the petitioners

Mr. Sandipan Ganguly .. Sr. Advocate
Mr. Avik Ghatak
Mr. Fahad Imam

... .. for the de-facto complainant

Mr. Debasish Roy .. Id. Public Prosecutor
Mr. Madhusudan Sur .. Id. Addl. Public Prosecutor
Mr. Anindya Sundar Chatterjee

... .. for the State

1. It is submitted on behalf of the petitioners there was a free fight between two groups. Case and counter-case were registered. Petitioners' associates have also suffered injuries. Accordingly, they pray for anticipatory bail.
2. Learned Public Prosecutor opposes the prayer for anticipatory bail and submits petitioners are dangerous persons. They had illegally encroached on government land. They assaulted the de-facto complainant resulting in serious injuries. Injuries on the petitioners' associates are due to pelting of stones by their own men. There is possibility of commission of similar offence in future.

3. Learned senior Advocate for the de-facto complainant also opposes the prayer for anticipatory bail. He submits the case registered by the petitioners is not a counter-case.

4. We have considered the materials on record. De-facto alleges petitioners came in a group and assaulted him and tried to grab his property. Learned Public Prosecutor states petitioners are land grabbers. They had illegally occupied government land. On the other hand, petitioners submit there was a free fight and both parties suffered injuries. Injury reports are placed on record.

5. In view of the aforesaid circumstances and the fact that both parties suffered injuries, we are of the opinion though custodial interrogation of the petitioners is not necessary, their movement requires to be restricted in order to instil confidence in the mind of the de-facto complainant and prevent commission of similar offences in future.

6. Accordingly, we direct in the event of arrest, the petitioners, namely, **(1) Rameshwar Singh, (2) Satyam Singh @ Satyam Kumar Singh, (3) Arjun Singh @ Ritesh Singh, (4) Sonu Kumar @ Sonu Shaw, (5) Santosh Kumar Singh @ Santosh Singh & (6) Mukesh Kumar Singh @ Piyush Singh**, 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, while on bail, shall not enter the jurisdiction of Asansol Sub-Division and shall provide the address where they 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 they 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)