

C. R. M. (A) 653 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 19.02.2025 in connection with Palashipara Police Station Case No.76 of 2025 dated 15.02.2025 under Sections 115(2)/329(4)/351(2)/62/64 of the Bharatiya Nyaya Sanhita, 2023.

And

In Re: ***Ujjal @ Ujjwal Ghosh***

... .. Petitioner

Mr. Amanul Islam
Mr. Sourav Mukherjee

... .. for the petitioner

Ms. Zareen N. Khan
Md. Ejaj Aktar

... .. for the State

1. It is submitted on behalf of the petitioner earlier a criminal case was registered by his father against the relations of the victim. Subsequently, petitioner has been falsely implicated. Accordingly, he prays for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail.
3. In spite of service, nobody appears for the victim.
4. We have considered the materials on record. Earlier a criminal case was registered against the family members of the victim. Possibility of false implication due to prior enmity cannot be ruled out. Medical report merely shows abrasion on the forearm. Injury is neither grievous nor life-threatening. Victim has refused to record her statement before Magistrate. Under such circumstances, we are of the opinion custodial interrogation of the petitioner is not necessary and he may be granted anticipatory bail.

5. Accordingly, we direct in the event of arrest, the accused/petitioner, namely, ***Ujjal @ Ujjwal Ghosh***, 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 further condition that the petitioner 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.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)