

26.02.2025

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sdas
Allowed

C.R.M. (A) No. 671 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Raiganj Police Station Case No. 1280 of 2024 dated 21.12.2024 under Sections 329(4)/115(2)/117(2)/109/74/3(5) of the BNS.

And

In Re : Babul Ali @ Babul Haque & Ors. petitioners

Mr. Kunal Ganguly

..... for the petitioners

Mr. Sk. Perveg

.....for the de facto complainant

Mr. Prasun Kumar Datta, learned APP

Md. Y. A. Ismail

.....for the State

1. Learned Counsel for the petitioners submits there was a free fight between neighbours. Case and counter case were registered. They pray for anticipatory bail.

2. Learned Counsel for the State opposes the prayer for anticipatory bail.

3. Learned Counsel for the *de facto* complainant submits victim was hospitalized for a considerable time.

4. We have considered the materials on record. There was a free fight between neighbours. Both parties suffered injuries. Though injuries are grievous it does not appear that the act was a pre-meditated one. Under such circumstances we are inclined to grant anticipatory bail to the petitioners.

5. Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita and on further condition that they shall meet the investigating officer once in a week until further orders. They shall appear before the jurisdictional court and pray for regular bail within a period of four weeks from date.

6. The application for anticipatory bail is, thus, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)