

06.03.2025

11
sdas
Allowed

C.R.M. (A) No. 785 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Shyampukur Police Station Case No. 10 of 2025 dated 14.02.2025 under Sections 329/126/115(ii)/118/54 of the BNS.

And

In Re : Smt. Kakoli Polley Pakhira & Anr. petitioners

Ms. Sohini Bhattacharyya

.....for the petitioners

Mr. Rana Mukherjee

Ms. Diksha Ghosh

....for the State

1. Learned Counsel for the petitioners submits they are residents of the same apartment. Dispute cropped up over a trifling issue viz. burning frankincense for puja. They have been falsely implicated. They pray for anticipatory bail.

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

3. We have considered the materials on record including the statements of witnesses. A fight broke out between two flat owners over burning frankincense for religious purposes. Injuries do not appear to be grievous. Under such circumstances we are inclined to grant anticipatory bail to the petitioners.

4. 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 subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita and on condition that they shall appear before the jurisdictional court and pray for regular bail within a period of four weeks from date.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)