

21.03.2025
Item No.14
Ct. No. 26
CHC
Partly Allowed

C.R.M.(A) 978 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Chakdah** Police Station Case No. **163** of **2025** dated **16.02.2025** under Sections **69/318(2)/117(2)** of the Bharatiya Nyaya Sanhita, 2023, pending before the Court of Learned Additional Chief Judicial Magistrate, at Kalyani.

And

In the matter of : XXXX & Ors.

..... petitioners

Mr. Navanil De, Advocate
Mr. Debojyoti Karan, Advocate
Mr. Rajeshwar Chakraborty, Advocate
....for the petitioners

Mr. Suman De, Advocate
Mrs. Shaila Afrin, Advocate
....for the State

1. Petitioner no.3 and the de facto complainant are adults.
2. Apparently, there was a relationship between the petitioner no.3 and the de facto complainant over a period of time as transpiring from the statement of the de facto complainant recorded under Section 183 of BNSS.
3. De facto complainant suffered injuries at the behest of the petitioner no.3. Medical document available in the Case

Diary corroborates such claim of the de facto complainant.

4. Considering the materials in the Case Diary and the involvement of the petitioners as transpiring therefrom, we are not inclined to grant anticipatory bail so far as the petitioner no.3 is concerned. However, we grant anticipatory bail to the petitioner nos.1 and 2.
5. Accordingly, we direct that in the event of arrest the petitioner nos.1 and 2 shall 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 be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973, corresponding to Section 482(2) of the BNSS and on further condition that the petitioner nos.1 and 2 will cooperate with the investigation till the conclusion of the investigation and on condition that the petitioner nos.1 and 2 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 nos.1 and 2 in Court including cancelling the anticipatory bail granted without further reference to this Court.

6. This application for anticipatory bail in respect of petitioner nos.1 and 2 is, thus, allowed.

(Debangsu Basak, J.)

(Smita Das De, J.)