

27.03.2025

Serial no. 71
Anticipatory Bail

[Allowed]

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CRM (A) 1039 of 2025

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Shyampur Police Station Case No. 33 of 2025 dated January 16, 2025** under Sections **126(2)/115(2)/117(2)/76/351(2)/3(5)** of Bharatiya Nyaya Sanhita, 2023 and Sections 3(1)(r)(s) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities Act), 1989 pending before Id. ADJ 1st Court, Special Court at Howrah.*

-And-

In the matter of : **PALASH MONDAL AND ORS.**

... .. Petitioners

Mr. Tanmoy Chowdhury,

Mr. Ritoprita Ghosh, Advocates

... .. For the Petitioners

Ms. Sonali Das,

Mr. Debanshu Ghorai, Advocate

... ..For the State

Mr. Kunal Ganguly, Advocate

.. ..For de facto complainant

1. Petitioner, State and the de facto complainant are represented.
2. Alleged utterances with regard to the caste of the de facto complainant apparently occurred inside a house and cannot be classified to be public place.
3. An incident of assault took place where, no injuries were classified as grievous hurt.
4. Police filed charge sheet.
5. In such circumstances, we are inclined anticipatory bail to the petitioners.
6. Accordingly, we direct that in the event of arrest the petitioners 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 Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition that the petitioners 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 petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

7. Prayer for anticipatory bail of the petitioners is **allowed**.
8. **CRM (A) 1039 of 2025** is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)