

AD 12
April 3, 2025
Ct. 28
SG

Reject

CRM(A) 1044 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Habibpur P.S. Case No.221 of 2024 dated 18.08.2024 under Sections 329(3)/115(2)/118(2)/64/62/109(1)/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: *Mihir Barman and another*

... *petitioners*

Mr. Arup Kumar Bhowmick

... for the petitioners.

Ms. Sukanya Bhattacharya

Ms. Rituparna Saha

... for the State

Copy of the document showing service of notice on the de facto complainant, as filed on behalf of the State, is taken on record.

Learned counsel appearing for the petitioners submits as follows. The instant case is fallout of disputes between two families over land. The present petitioners are not the prime accused. The petitioners may granted bail on any conditions.

Learned counsel for the State relies on the case diary and submits as follows. Injury report of the victim shows fracture of neck and femur. While an eyewitness had taken the name of the petitioner No.2, the victim herself took the name of the petitioner No.1.

In view of the statements of the victim and another witness recorded under Section 183 of the BNSS and considering the injury report of the victim, I am not inclined to grant anticipatory bail to the petitioners.

Accordingly, the prayer for anticipatory bail is rejected.

(Jay Sengupta, J.)