

AD 29
April 4, 2025
Ct. 28
SG

Allowed

CRM(A) 1096 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Chanditala P.S. Case No.0179 of 2025 dated 15.03.2025 under Sections 115(2)/117(2)/118(2)/3(5)/329(4)/351(3)/352/76 of the Bharatiya Nyaya Sanhita.

And

In the matter of: *Afsar Ali Mallik and others*

... petitioners

Mr. Avirup Mondal
Mr. A.Z. Mondal
Mr. Debdipta Sen

... for the petitioners.

Mr. Imran Ali
Ms. Snigdha Saha

... for the State

Learned counsel appearing for the petitioners submits as follows. The alleged incident is fallout of a dispute between family members. The petitioners had filed their FIR first, on 14.03.2025. The instant FIR was lodged by the other side as a counter-blast only on 15.03.2025.

Learned counsel for the State opposes the prayer, relies on the case diary and submits that there are statements of witnesses implicating the petitioners, although the injury report does not suggest that the alleged injury was grievous.

Considering the materials available in the case diary including the injury report, I do not think that custodial interrogation of the present petitioners would be required.

In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) each with two sureties of like amount each, one of whom must be local, 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, 2023 and on the further conditions that the petitioners shall meet the investigating officer of the case once a fortnight till the submission of a report in final form and the petitioners shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

(Jay Sengupta, J.)

