

02.04.2025
Court No.28
Item No.26
tbsr
Allowed

CRM (A) 1064 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with **Galsi** P.S. Case No.**26 of 2025** dated **14.01.2025** under Sections **191(2)/191(3)/115(2)/117(2)/109(1)/351(2)/3(5)** of the Bharatiya Nyaya Sanhita Act, 2023 and Section 9(b)(ii) of the Explosives Act, Corresponding to GR Case No. 219 of 2025.

And

In the matter of: **Sufal Ghosh.**

....Petitioner.

Mr. Samiran Mondal
Mr. Abhinaba Dan
Mr. Nitish Samanta

...for the petitioner.

Mr. Bitasok Banerjee
Mr. Sharequl Haque

...for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. As a result of a scuffle between the two groups of people in a particular neighbourhood, a chaos ensued. However, no one suffered any particular injury. Yet, the present case was started. As many as 16 accused were granted anticipatory bail. By an order dated 18.03.2025 passed by a Division Bench of this Court in CRM (A) 934 of 2025, it was recorded that apparently there was an incident of assault, which did not result any specific injury to any person. The Division Bench went on to grant anticipatory bail to the accused. The petitioner is similarly circumstanced.

Learned counsel appearing on behalf of the State opposes the prayer and relies on a seizure list and the statement of witnesses. He submits that charge sheet has not yet been submitted.

In view of the above and considering the fact that a substantially similarly circumstanced individual was granted anticipatory bail by a Division Bench of this Court, I am inclined to allow the application for anticipatory bail of the petitioner.

Accordingly, I direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- 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 further conditions that the petitioner shall cooperate with the investigation and meet the I.O. as and when called for till the conclusion of investigation and on condition that the petitioner shall appear on every date before the jurisdictional Court when the matter is fixed for hearing, in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court.

The application for anticipatory bail is, thus, allowed.

(Jay Sengupta, J.)