

03.04.2025
Court No.28
Item No.28
ssi

CRM (A) 1076 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with **Manikchak** P.S. Case No.**139 of 2025** dated **25.02.2025** under Section **326 (g)** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: **Meheub Sabjee @ Sabji & others.**

....Applicants/Petitioners.

Mr. Amitabha Karmakar
Mr. Arup Kumar Bhowmick

...for the petitioners.

Mr. Shiladitya Banerjee
Mr. Sourat Nandy

...for the State.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners have been falsely implicated in this case because there is an ongoing dispute between the de facto complainant and them. Even in the FIR, there is no clear mention that the petitioners were responsible for the alleged fire. The prosecution is based on mere suspicion.

Learned counsel appearing on behalf of the State relies on the case diary and opposes the prayer for anticipatory bail.

Considering the nature of allegations and the statements available of witnesses which only refer to an arson taking place in the out-house of the de facto complainant, I do not think that the custodial interrogation of the petitioners are required in this case.

In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- 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 further conditions that the petitioners shall meet the I.O. of the case once a fortnight till submission of report in final form and they shall not try to influence the witnesses or threaten them.

The application for anticipatory bail is, thus, allowed.

(Jay Sengupta, J.)