

04.04.2025
Court No.28
Item No.21
tbsr
Allowed

CRM (A) 1087 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Bhimpur** P.S. Case No.**274 of 2024** dated **14.10.2024** under Sections **351(2)/126(2)/118(2)/109/3(4)** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: **Samir Dhara**

....Petitioner.

Mr. Sumanta Das
Mr. Avilash Tripathi
Mr. S. Biswas

...for the petitioner.

Mr. Saibal Bapuli, Id. APP
Mr. Md. Kutubuddin
.....for State

Leave is granted to amend the cause title.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the father of the principal accused. There is no allegation against the petitioner that he had assaulted the victim.

Learned counsel appearing on behalf of the State relies on the case diary and opposes the prayer. He submits that a grievous injury was inflicted upon the victim and according to the victim's statement, although the principal accused Akash Dhara had inflicted the blow, on the previous day, the petitioner had gone to their house and threatened them.

Considering the statement of the victim record under Section 183 of the BNSS and the fact that charge sheet has already been submitted, I am inclined to allow the application.

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. The petitioner shall not threaten the witnesses and shall stay out of Bhimpur Police Station for a period of six months.

The application for anticipatory bail is, thus, allowed.

(Jay Sengupta, J.)