

04.04.2025
Court No.28
Item No.15
ssi

CRM (A) 1081 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with **Englishbazar** P.S. Case No.172 of 2025 dated **01.02.2025** under Sections **126 (2)/115 (2)/117 (2)/118(2)/351 (2)/3 (5)** of the BNS, 2023.

And

In the matter of: **Vivekananda Ghosh @ Mantu Ghosh**
....Applicant/Petitioner.

Ms. Sujata Das
...for the petitioner.

Mrs. Sonali Das
Mr. Arup Sarkar
...for the State.

Leave is granted to correct the cause title.

Memo of evidence is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner has been falsely implicated in this case due to political rivalry. He was not even present at the place of occurrence at the relevant time.

Learned counsel appearing on behalf of the State relies on the case diary and submits as follows. There are statements of witnesses which corroborate the version given by the injured de facto complainant. However, according to the injury report, injury not grievous.

In view of the materials contained in the case diary including the injury report, I do not think that custodial interrogation of the petitioner would be required in this case.

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 meet the I.O. of the case once a week till submission of report in final form and he shall not try to influence the witnesses or threaten them. The petitioner shall also reside outside the jurisdiction of English Bazar Police Station until further orders.

The application for anticipatory bail is, thus, allowed.

(Jay Sengupta, J.)