

AD 5
April 8, 2025
Ct. 28
SG

Allowed

CRM(A) 1110 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Mandir Bazar P.S. Case No.477 of 2024 dated 28.10.2024 under Sections 126(2)/117(2)/109/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: *Krishnendu Mistry*

... *petitioner*

Mr. Sayan Kanjilal

... for the petitioner.

Mr. Subhamay Bhattacharya

Md. Ejaj Akhtar

... for the State

Learned counsel appearing for the petitioner submits as follows. The de facto complainant and his associates attacked the petitioner due to some previous grudge. This resulted in a scuffle and injuries were received on both sides. The instant case is a counter-blast to the earlier case lodged by the petitioner.

Learned counsel for the State relies on the case diary, opposes the prayer for anticipatory bail and submits that statements of eye-witnesses have been recorded. However, there is no clear indication in the injury report that the injury was grievous. Charge-sheet has been submitted.

In view of the nature of allegations and the fact that charge-sheet has already been submitted, I am inclined to allow the application for anticipatory bail.

In the event of arrest, the petitioner 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 petitioner shall meet the investigating officer of the case once a fortnight for three months and that the petitioner shall not threaten or intimidate the witnesses.

The application for anticipatory bail is, thus, allowed.

(Jay Sengupta, J.)