

17.04.2025
Court No.28
Item No.26
tbsr
Allowed

CRM (A) 1221 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Beldanga** P.S. Case No.103 of 2025 dated 18.02.2025 under Sections **318(4)/324(4)/329(3)/363(3)/340(1)/340(2)** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: **Abdul Sukhur Sk.**

....Petitioner.

Mr. Jisan Iqubal Hossain
...for the petitioner.

Mr. Bibaswan Bhattacharyya
Mr. Md. Ejaz Akhter
.....for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is a co-sharer in the property in question. There is a partition suit pending. He has been falsely implicated in the instant case.

Learned counsel appearing on behalf of the State relies on the case diary and opposes the prayer for anticipatory bail. There are statements of affected parties as well as independent witnesses which support the prosecution case. It is alleged that the petitioner had prepared a fake deed and was trying to oust the owners from their property. He had also applied pesticides in the field to damage the produce.

In view of the materials available in the case diary, I do not find this case to be one where custodial interrogation of the petitioner would be required. However, the movement of the petitioner should be restricted for a limited period.

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 condition that the petitioner shall not threaten or intimidate witnesses and to meet the I.O. once a week till submission of report in final form and shall stay outside the jurisdiction of Beldanga Police Station for a period of six months, except for attending the jurisdictional Court or meeting the investigation officer.

The application for anticipatory bail is, thus, allowed.

(Jay Sengupta, J.)