

17.04.2025
SL.39
Ct.No.28
NB

CRM (A) 1234 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Lake Town P.S. Case No.303 of 2024 dated 06.09.2024 corresponding to GR Case No.1182/2024 under Sections 126(2)/115(2)/74/303(2) of the Bharatiya Nyay Sanhita, 2023 pending before the learned Additional Chief Judicial Magistrate, Bidhannagar.

And

In the matter of : Krishan Nayak @ Kishan Nayak petitioner.

Mr. Shataroop Purokayastha,
Mr. Hamidur Rahaman.

...for the petitioner.

Ms. Sukanya Bhattacharya,
Ms. Sana Naaz.

...for the State.

Affidavit of service filed on behalf of the petitioner is taken on record.

Despite service, no one appears on behalf of the de facto complainant.

Learned counsel appearing on behalf of the petitioner submits as follows. The case arose out of an altercation between neighbours. There are disputes prevailing amongst these neighbours. The prime allegation was that of stealing a mobile phone. But, the same was not stolen and is very much there with the de facto complainant.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. She submits that the injury was simple in nature. Charge sheet has not been submitted.

Considering the nature of allegations and the materials available in the case diary, I do not think that custodial interrogation of the petitioner is required in this case.

Accordingly, the petitioner 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 subject to the conditions that he shall meet the Investigating Officer once a fortnight till submission of report in final form, cooperate with the investigation and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever.

The application for anticipatory bail being **CRM (A) 1234 of 2025** is, thus, allowed.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)