

17.04.2025
Court No.28
Item No.54
ssi

CRM (A) 1249 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with **Palashipara** P.S. Case No.**151 of 2025** dated **06.04.2025** under Sections **126(2)/115(2)/118(2)/324(4)/352/3(5)** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: **Bipad Ghosh & another.**

....Applicants/Petitioners.

Mr. Soumo Basu Roy Chowdhury
Mr. Abdul Aziz Mondal

...for the petitioners.

Ms. Z. N. Khan
Ms. Diksha Ghosh

...for the State.

Learned counsel appearing on behalf of the petitioners submits as follows. The instant case is a fallout of an altercation between a Toto driver and some locals. It does not appear that any grievous injury was inflicted on anyone.

Learned counsel appearing on behalf of the State relies on the case diary and opposes the prayer for bail. She submits that there are statements of the injured as well as the independent witnesses who had clearly supported the prosecution case. The victim suffered deep laceration of about 3 inches over right arm. It had to be repaired by giving five stitches. From the statements, it appears that the blow was given by the petitioner no.2.

In view of the materials available in the case diary and the fact that no grievous injury was inflicted, this Court is inclined to grant

anticipatory bail to the petitioners, although, by restricting the movement of the petitioners for a limited period.

In the event of arrest, the petitioners 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 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 petitioners shall meet the I.O. of the case once a week till submission of report in final form and shall not try to influence the witnesses or threaten them and stay beyond the jurisdiction of Palashipara Police Station for a period of six months from this date, except for attending Court or meeting the Investigating Officer.

The application for anticipatory bail is, thus, disposed of.

(Jay Sengupta, J.)