

AD 15
May 5, 2025
Ct. 28
SG

Allowed

CRM(A) 1255 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Saktipur P.S. Case No.33 of 2025 dated 07.03.2025 under Sections 109(1)/117(2)/126(2)/3(5)/74 of the BNS, 2023.

And

In the matter of:

Debnath Ghosh and others

... petitioners

Mr. J.I. Hossain

... for the petitioners.

Ms. Baisali Basu

Mr. Debarshi Brahma

... for the State

Learned counsel appearing for the petitioners submits that there was a scuffle between two neighbouring villagers over demarcation of land. Both sides suffered injuries.

Learned counsel for the State relies on the case diary, including the statements of witnesses and injury reports. She refers to a clarification dated 21.04.2025 given by the BMOH regarding injury suffered by one of the victims. It is clarified that the injury was simple in nature.

Considering the materials available in the case diary, I am inclined to grant anticipatory bail to the petitioners.

In the event of arrest, the petitioners 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 petitioners shall meet the investigating officer once a fortnight till submission of report in final form, stay outside the jurisdiction of Saktipur Police Station for a period of six months except for meeting the investigating officer and attending the jurisdictional court and shall not threaten or intimidate witnesses.

The presence of the investigating officer is noted and dispensed with.

The application for anticipatory bail is, thus, allowed.

(Jay Sengupta, J.)