

25.04.2025

Item No.DL27
Court No. 28
Asraf, AR(Ct.)

ALLOWED

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION
APPELLATE SIDE

CRM (A) 1270 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 filed in connection with Gazole Police Station case no.917 of 2024 dated 15.10.2024 under Sections 126(2), 117(2), 303(2), 351(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

-and-

In Re : **GOPAL BISWAS**

.....Petitioner

For the Petitioner :

Mr. Kalidas Saha
Ms. Khushi Mollick

.....Advocates

For the State :

Mr. Anwar Hossain
Ms. Kanchan Roy

.....Advocates

For the De facto Complainant :

Mr. Samya Ray

.....Advocate

Learned counsel appearing on behalf of the petitioner submits as follows. The case arises out of a scuffle that ensued between two groups of villagers over some previous grudge. No grievous injury was received by anyone.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail.

Learned counsel appearing on behalf of the State refers to the statements of independent witnesses and the injury report.

It does not appear that any grievous injury was inflicted upon anyone. In view of the same, I am inclined to grant anticipatory bail to the petitioner, however, by restricting their movement for a limited period.

Accordingly, 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 subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition that he shall meet the Investigation Officer of the case once a week till submission of report in final form and he shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever. The petitioner shall also stay outside the jurisdiction of Gazole Police Station from this date till submission of report in final form except for the purpose of meeting the Investigating Officer or attending the jurisdictional Court.

The application for anticipatory bail being **CRM(A) 1270 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.)