

AD 50
April 22, 2025
Ct. 28
SG

Allowed

CRM(A) 1273 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Suti P.S. Case No.286 of 2025 dated 24.03.2025 under Sections 115(2)/117(2)/118(2)/74/324(4)/3(5) of the BNS, 2023.

And

In the matter of: *Golab Hossain and others*

... petitioners

Mr. Samrat Banerjee

... for the petitioners.

Mr. Bidyut Kumar Roy, Sr. Adv.

Mr. Kunal Ganguly

... for the State

Learned counsel appearing for the petitioners submits that the husband of the present de facto complainant had made an illegal construction encroaching upon public land. Over this, the petitioners filed a writ petition which is pending. After coming to know about filing of such writ petition, the said husband of the de facto complainant and others attacked the petitioner Nos.1 and 6. Head injury was inflicted and FIR was lodged on the same day, but was registered after registration of the present FIR.

Learned counsel for the State refers to the statements of witnesses recorded and the injury report. It does not appear that the injuries inflicted were grievous in nature.

In view of the nature of injuries inflicted and the roles ascribed to the present petitioners, 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 of the case once in a fortnight till submission of report in final form and the petitioners shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

(Jay Sengupta, J.)