

24/04/2025
D/L 42
Ct. No.28
S.Kundu
Allowed (part)

C.R.M.(A) 1308 of 2025

In Re:- An application for anticipatory bail under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023/under Section 438 of the Code of Criminal Procedure. In connection with Egra police station case no. 257 of 2025 dated 2.4.2025 under Sections 115(2)/117(2)/124(1)/3(5)/329(4)/351(3) of the BNS, 2023.

In the matter of: Dipak Pradhan @ Dipak Kumar Pradhan & Ors.

... Petitioners

Mr. M. Jana
Mr. K. Chowdhury

...for the petitioners.

Mr. Anwar Hossain
Mr. T. Dhali

...for the State.

1. Learned counsel appearing on behalf of the petitioners submits as follows. The FIR arose out of the disputes between two neighbours. The petitioner nos. 2 and 3 are the 69 years and 62 years old father and the mother of the petitioner no. 1. The FIR was lodged after three days of the alleged incident.
2. Learned counsel appearing on behalf of the State relies on the statements of witnesses including the victim, recorded before the learned Magistrate and the injury report. There was an acid attack on the victim. As per the statement recorded before the learned Magistrate, the petitioner nos. 1 and 2 are the prime accused in this case.

3. In view of the role ascribed to the petitioners, I am not inclined to grant anticipatory bail to the petitioner nos. 1 (Dipak Pradhan @ Dipak Kumar Pradhan) and petitioner nos. 2 (Nirmal Kumar Pradhan @ Nirmal Pradhan). Their prayer is rejected. However, in view of the role ascribed to the petitioner no. 3 (Draupadi Pradhan), she may be favoured with an order of anticipatory bail.
4. In the event of arrest, the petitioner no. 3 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 further conditions that the petitioner shall cooperate with the investigation, and shall not threaten or intimidate witnesses.
5. Accordingly, the application for anticipatory bail is allowed-in-part.
6. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)