

AD 15
May 1, 2025
Ct. 28
SG

Allowed

CRM(A) 1345 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Gaighata P.S. Case No.1182 of 2024 dated 20.12.2024 under Section 140 of the BNS, 2023.

And

In the matter of:

Liton Howladar

... petitioner

Mr. Biswajib Ghosh
Mr. Soumya Nag
Mr. Rajdeep Sengupta

... for the petitioner.

Ms. Baishali Basu
Mr. Nirupam Dhali

... for the State

Learned counsel for the petitioner submits that the petitioner had a relationship with a lady. Afterwards, the family members of the lady called the petitioner to their place. They assaulted him and damaged his car and articles. After he came back to his house, those family members came to the petitioner and apologised and said that they would reimburse the expenses for damage to the car. The car was taken to the mechanic shop and an estimate was being taken. In the meantime, two of the family members who had come, went away. Thereafter, a false allegation was made that the petitioner had abducted the two.

Learned counsel for the State opposes the prayer for anticipatory bail and relies the case diary, including the statement of the victim. It appears that the victims come back after the alleged abduction. No harm or injury was caused.

In view of the nature of allegations and the fact that the statement of the victim and some other necessary evidence have been collected, I am inclined to grant anticipatory bail to the petitioner.

In the event of arrest, the petitioner 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 petitioner shall cooperate with the investigation, shall meet the investigating officer once a fortnight till submission of report in final form and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

(Jay Sengupta, J.)