

30.04.2025
Court No.28
Item No.25
tbsr
Allowed

CRM (A) 1376 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Kalyani** P.S. Case No.**689 of 2024** dated **31.08.2024** under Sections **281/126(2)/115(2)/117(2)/304(2)/351(2)/3(5)** of the Bharatiya Nyaya Sanhita 2023.

And

In the matter of: **Anirban Barat & Ors.**

....Petitioners.

Mr. Shibaji Kr. Das

Ms. Deblina De

...for the petitioners.

Ms. Sujata Das

Mr. S. Kundu

.....for the State.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are medical students. On a particular day, they were going to have dinner. Suddenly, a motorbike came in front of their car. The driver of the motorbike, who happened to be an advocate, had an altercation with the present petitioners. There was some pushing as was alleged. It was further alleged that the petitioners had stolen some money from the alleged victim. The petitioners had complied with the notice issued under Sections 35(3) of the BNSS.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail, but admits that the petitioners had complied the notice with the investigating agency.

In view of the nature of allegations and the fact that notice issued by the investigating agency under Section 35(3) of the BNSS had been

complied with by the petitioners, I am inclined to grant anticipatory bail to the present petitioners.

In the event of arrest, the petitioners 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 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 further condition that the petitioners shall cooperate with the investigation and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)