

02.05.2025
Court No.28
Item No.11
tbsr
Allowed

CRM (A) 1385 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Ratua** P.S. Case No.**236 of 2025** dated **25.03.2025** under Section **111(1)** of the Bharatiya Nyaya Sanhita 2023 and under Section 46(b) of the Bengal Excise Act, 1909.

And

In the matter of: **Biswajit Chowdhury**

....Petitioner.

Mr. Soupal Chatterjee
Mr. Anupam Das
...for the petitioner.

Mr. Rudradipta Nandy, Id. Addl. PP
Mr. Nirupam Dhali
.....for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner's father is the licensed owner of a liquor shop and the petitioner is the registered sales man. He has been falsely implicated in this case on the basis of the statement of a co-accused.

Learned Additional Public Prosecutor representing the State submits that the investigation is going on and the petitioner has not responded to the notice given under Section 35(3) of the BNSS.

In view of the fact that there is hardly any other material collected against the petitioner except for the statement of a co-accused, I do not think that custodial interrogation of the petitioner is required in this case.

In the event of arrest, 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 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 petitioner shall cooperate with the investigation and shall meet the I.O. 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.

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

(Jay Sengupta, J.)