

01.05.2025
SL.21
Ct.No.28
NB

CRM (A) 1389 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with GR Case No.2769/2022 arising out of Tamluk P.S. Case No.831 of 2022 dated 14.09.2022 under Sections 448, 427, 380, 506 and 34 of the Indian Penal Code.

And

In the matter of: Gobinda Karan & Ors. Petitioners

Mr. Lakshminath Bhattacharyya.
...for the petitioners.

Ms. Baishali Basu,
Mr. Santanu Talukar.
...for the State.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the tenants at the premises in question. The allegations are absolutely false. The petitioners are still staying at the said property. It appears that only non-bailable section contained in the FIR is Section 380 of the Penal Code.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail and submits that a prima facie case is made out as would be evident from a plain reading from the First Information Report and the materials contained in the case diary. Charge sheet was submitted in 2023 and the petitioners are absconding since then.

In view of the fact that the petitioners were admittedly tenants of the de facto complainant at some point, I do not think that custodial interrogation of the petitioners are required in this case

Accordingly, 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 Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition not to threaten or intimidate witnesses and to meet with the Investigating Officer as and when required.

The application for anticipatory bail being **CRM(A) 1389 of 2025** is, thus, allowed.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)