

05/05/2025

M/L 46

Ct. No.28

S.Kundu

Partly Allowed

C.R.M.(A) 1448 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 Kaliachawk Police Station case no. 421 of 2025 dated 15.3.2025 under Sections 126(2)/118(2)/109/103/3(5) of the BNS.

In the matter of: Bikram Ghosh & Anr.

... Petitioners

Mr. K. Choudhury

Mr. S. Hazra

...for the petitioner.

Mr. Rana Mukherjee

Ms. P. Saha

...for the State.

1. Learned counsel appearing for the petitioners submits as follows. It is alleged that 16 assailants assaulted the victim which led to his death. The petitioner no. 2 is a lady.
2. Learned counsel appearing for the State relies on the case diary and opposes the prayer for anticipatory bail. He submits that the name of the petitioner no. 1 has transpired from the statements recorded before the learned magistrate. While the names of the petitioners are there in some of the statements recorded by the police. However, no overt act has been attributed to the petitioner no. 2, who is a female.
3. Considering the materials available in the case diary and the alleged respective roles ascribed to each of the petitioners, while I am inclined to grant anticipatory bail

to the petitioner no. 2 (Sefali Ghosh @ Shephali Ghosh), I am rejecting the prayer for anticipatory bail of the petitioner no. 1 (Bikram Ghosh).

4. In the event of arrest, the petitioner no. 2 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 said 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.)