

13.05.2025

Item No.DL38
Court No. 28
Asraf, AR(Ct.)

REJECTED

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION
APPELLATE SIDE

CRM (A) 1500 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 filed in connection with Gazole Police Station case no.1072 of 2024 dated 26.11.2024 under Sections 109, 115(2), 117(4), 118(2), 190, 191(2), 191(3), 303(2), 326(g) and 74 of the Bharatiya Nyaya Sanhita, 2023.

-AND-

In the matter of :

- 1. SANJAY PRAMANIK @ SANJOY PRAMANIK**
- 2. DHANANJAY PRAMANIK**
- 3. PRAMANIK GOLAPCHAND @ GOLAP CHAND PRAMANIK**
- 4. BARKA MARDI**

.....Petitioners

For the Petitioners :

Mr. Md. Wasim Akram

.....Advocate

For the State :

Mr. Bitasok Banerjee

Ms. Debadrita Mondal

.....Advocates

Learned counsel appearing on behalf of the petitioners submits as follows. The father of the present petitioner nos.1 and 2 was beaten up severely by the present de facto complainant on 25.11.2024. All this was over a land dispute. He was admitted in hospital and discharged on 26.11.2024 at 12 PM. Yet the FIR falsely alleged that the said father of the

petitioner nos.1 and 2 was also an assailant in the instant case. The said father of the petitioner nos.1 and 2 was granted anticipatory bail by this Court.

Learned counsel appearing on behalf of the State relies on the injury report present at pages 58 and 59 of the case diary. Three persons were injured. A co-accused, Swapan Tudu, standing on the same footing as the present petitioners, was refused the benefit of anticipatory bail by this Court on 06.02.2025 in CRM(A) 329 of 2025. Independent witnesses stated that the petitioners were the assailants.

Considering the nature of injury inflicted, the alleged role attributed to the present petitioners and the fact that the anticipatory bail prayer of a similarly circumstanced co-accused was rejected by this Court, I am not inclined to grant anticipatory bail to the petitioners.

Accordingly, the application for anticipatory bail being **CRM(A) 1500 of 2025 is rejected.**

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.)