

AD 40
June 26, 2025
Ct. 28
SG

Allowed

CRM(A) 1538 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Malda P.S. Case No.197 of 2025 dated 23.03.2025 under Sections 85/115(2)/117(2)/109/326(g)/3(5) of the BNS, 2023.

And

In the matter of:

Mithun Sekh @ Mithun Sk. and others ...
petitioners

Mr. Kalidas Saha
Ms. Khushi Mollick

... for the petitioners

Mr. Bidyut Kumar Roy
Ms. Debjani Sahu

... for the State

Heard learned counsels for the parties.

Learned counsel for the State relies on two statements of neighbours and submits that the other two persons whose statements were required to be recorded by the investigating agency, could not be found as they had gone out for work as migrant labour.

Considering the materials available in the case diary, including the statements of the independent witnesses, I am inclined to grant anticipatory bail to the petitioners.

In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten

thousand) 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 the further conditions that the petitioners shall cooperate with the investigation, the petitioner Nos.1 and 2 shall meet the investigating officer once a week till submission of report in final form and the petitioners shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)