

14.05.2025
Court No.28
Item No.35
ssi

CRM (A) 1533 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Haridevpur PS Case No.**239 of 2025** dated **04.04.2025** under Sections **126 (2)/115 (2)/74/54** of the BNS 2023.

And

In the matter of: **Biswajit Barman @ Biswa Barman & others.**

....Applicants/Petitioners.

Mr. Samim Ahammed
Ms. Gulsanwara Pervin
Mr. Arka Ranjan Bhattacharya
Mr. Asif Iqbal Baidya

...for the petitioners

Ms. Sukanya Bhattacharya
Mr. Debanik Das

..for the State

Learned counsel appearing on behalf of the petitioners submits as follows. The date of occurrence for the alleged incident was 01.04.2025 at 10:30 hrs. The assailants actually assaulted the petitioner's aged mother, molested her and disrobed her on road. The petitioner went to the police station at 11:00 hrs. to lodge a complaint, but the same was not received. On 02.04.2024, he was able to get a copy of a complaint received by the higher authorities. The same was sent to the police station and the petitioner's FIR was registered on 03.04.2025. As a counter blast, the instant FIR was registered on 04.04.2025. The petitioners have been falsely implicated in this case.

Learned counsel appearing on behalf of the State relies on the case diary, refers to the injury report and the statements of

witnesses. The report shows redness on the right side of face of the victim.

Considering the materials available in the case diary including the injury report and the fact that there are case and counter case, I do not think that custodial interrogation of the petitioners are required in this case.

Accordingly, the prayer for anticipatory bail to the petitioners is allowed.

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 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 conditions that the petitioners shall not threaten or intimidate witnesses and shall co-operate with investigation. The petitioner no. 1 shall meet the Investigating Officer of the case as and when required.

The application for anticipatory bail is, thus, disposed of.

(Jay Sengupta, J.)