

16.05.2025
SL.24
Ct.No.28
NB
(Allowed)

CRM (A) 1576 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 Harischandrapur P.S. Case No.1069 of 2024 dated 12.12.2024 under Sections 329(4)/351(2)/115(2)/76/117(2)/109/3(5) of the BNS.

And

In the matter of : Atikur Rahaman ... petitioner

Mr. Amanul Islam,
Mr. Sourav Mukherjee.
...for the petitioner.

Mr. Prasun Kumar Dutta Id.APP.,
Mr. Tirupati Mukherjee.
...for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. There is a civil suit pending between the private parties over a land dispute. A free fight took place between the adverse parties on a particular day. There are case and counter case over this. The petitioner also received severe injuries and had to be treated in hospital.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail and he relies on statements of witnesses and the injury reports and submits that one of the victims received serious injury. Charge sheet has been submitted.

Considering the materials available in the case diary, the fact that there was case and counter case and the fact that charge sheet

has been submitted, I do not think that custodial interrogation of the petitioner is required in this case.

Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- 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 stay outside the jurisdiction of Harishchandrapur Police Station for a period of six months from this date except for the purpose of attending the jurisdictional Court or for meeting the Investigating Officer.

The application for anticipatory bail being **CRM(A) 1576 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.)