

16/05/2025

D/L 36
Ct. No.28
S.Kundu
Rejected

C.R.M.(A) 1589 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 Tehatta police station case no. 249 of 2025 dated 4.4.2025 under Sections 110/115(2)/126(2)/74/3(5) of the BNS.

In the matter of: Nikhil Joardar @ Joarddar & Anr.

... Petitioners

Mr. Amanul Islam
Mr. Sourav Mukherjee

...for the petitioners.

Mr. Atis Kr. Biswas

...for the De-facto.

Mr. S. S. Imam
Mr. Abhisek verma

...for the State.

1. Learned counsel appearing for the petitioners submits as follows. A scuffle took place between the private parties over an old land dispute. No one received any grievous injury.
2. Learned counsel appearing for the State relies on the injury report of a victim which shows that there was a crack on the finger of an aged victim. The statements of witnesses including the independent once support the prosecution case. There is a criminal antecedent of the petitioners earlier. A petitioners had beaten up another family member. The case is pending over the same.
3. Learned counsel appearing for the de-facto complainant submits that trial is pending on an earlier incident of injury inflicted by the accused on the son of the de-facto

complainant. Out of such grudge, another incident has now taken place.

4. Considering the nature of allegations and the repetitive incidents of assault allegedly caused by the petitioners, I am not inclined to grant anticipatory bail to the present petitioners.
5. Accordingly, the application for anticipatory bail is rejected.
6. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)