

22/05/2025

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

C.R.M.(A) 1711 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 Hariharpara Police station case no. 117 of 2025 dated 4.3.2025 under section 329(4)/115(2)/118(2)/109/351(2)/3(5) of the BNS.

In the matter of: Badan Ghosh & Anr.

... Petitioners

Mr. Anit Dey

...for the petitioners.

Mr. Manas Kr. Das

Mr. Mobaidur Hossain

...for the de-facto.

Mrs. Subhasree Patel

Mr. Sharequl Haque

...for the State.

1. Learned counsel appearing for the petitioners submits as follows. The petitioner is the patient of Neurology. The de-facto complainant has called him a mad man. As a result, a scuffle took place between them. Both sides received injuries.
2. Learned counsel appearing for the de-facto complainant submits that the facts are completely different. The petitioners were trying to make illegal construction without leaving any space between two properties.
3. Learned counsel appearing for the State relies on the case diary and points to the injury reports and the statements of eye-witnesses. It appears that the petitioner and the other co-accused assaulted the victim in such a manner

that the victim's hand was nearly chopped off from the wrist.

4. Considering the incriminating materials available in the case diary and the alleged role ascribed to the petitioners, I do not think that this is a fit case for granting anticipatory bail to the 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.)