

23/05/2025

D/L 16
Ct. No.28
S.Kundu
Allowed

C.R.M.(A) 1731 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 Talpati Ghat Coastal police station case no. 0019 of 2024 dated 15.2.2024 under Sections 186/323/325/332/333/341/379/34/353/506 of the IPC.

In the matter of: Sourav Sarkar & Anr.

... Petitioners

Mr. Mayukh Mukherjee
Mr. Pritom Roy
Ms. Triparna Roy
Ms. Sarmistha Basak

...for the petitioner.

Mr. Rajashree Tah

...for the State.

1. Learned counsel appearing for the petitioner submits as follows. There were two FIRs started over the same incident. These were clubbed together later. The petitioners were named only in the second FIR. The allegations of security guard being heckled and his service revolver being taken away were against the other accused. They have now been released on bail. The petitioners have been implicated due to political rivalry.
2. Learned counsel appearing for the State opposes the prayer for anticipatory bail and she refers to the injury report, although the injury appears to be simple in nature.
3. Considering the nature of allegations and the alleged role ascribed to the petitioners, I do not think that custodial interrogation of the petitioners is required in this case

and I am inclined to grant anticipatory bail to the petitioners.

4. 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 further conditions that the petitioners shall cooperate with the investigation and shall not threaten or intimidate witnesses. The petitioners shall meet the I.O once a fortnight till submission of report in final form.
5. Accordingly, the application for anticipatory bail is allowed.
6. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)