

AD 42
July 14, 2025
Ct. 28
SG

Partly Allowed

CRM(A) 1827 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Bamongola P.S. Case No.263 of 2024 dated 15.11.2024 under Sections 329(3)/117(2)/74/110/3(5) of the BNS, 2023.

And

In the matter of:

Bablu Ram and others

... petitioners

Mr. Tapas Kumar Adhikari

Mr. Abhijit Ghosh

... for the petitioners

Mr. Arijit Ganguly

Mr. S. Balial

... for the State

Mr. Mrityunjoy Chatterjee

... for the de facto complainant

Learned counsel for the petitioners submits that there are case and counter case. Both sides received injuries. The petitioners have been falsely implicated in this case.

Learned counsel for the de facto complainant strongly opposes the prayer for anticipatory bail and submits that some of the accused are civic volunteers, who have misused their position to commit atrocities.

Learned counsel for the State relies on the case diary, opposes the prayer for anticipatory bail, but points to the duty roster showing that two of the accused were on duty.

Perused the case diary.

It appears that the name of the petitioner No.2 is not appearing in the statement of the independent witness. The injuries inflicted on the ladies were serious inasmuch as the same was done on vital parts of the body like head and with wooden stick.

Considering the materials available in the case diary and the alleged role attributed to each of the petitioners, while I am inclined to grant anticipatory bail to the petitioner No.2, the prayer for anticipatory bail of the petitioner Nos.1 and 3 (Bablu Ram and Biplab Ram) is rejected.

In the event of arrest, the petitioner No.2 (Asit Ram) shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) 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 the further conditions that the petitioner No.2 shall cooperate with the investigation, shall meet the investigating officer once a fortnight till submission of report in final form and shall not threaten or intimidate witnesses.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)