

02.07.2025
Court No.28
Item No.33
tbsr
Allowed

CRM (A) 1866 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Kotwali** P.S. Case No.**131 of 2025** dated **21.03.2025** under Sections **329(3)/303(2)/117(2)/76/351(2)/3(5)** of the Bharatiya Nyaya Sanhita, 2023 (Section 441/379/325/354B/506/34 of the Indian Penal Code.

And

In the matter of: **Sk. Md. Ibrahim & Ors.**

....Petitioners.

Mr. Sujay Bandyopadhyay
Mr. Jagajyoti Das
....for the petitioners.

Mr. Sanjay Bardhan
Mr. Sujoy Sarkar
...for the State.

Mr. Amit Ranjan Pati
Ms. Mehelee Chattopadhyay
.....for the de facto complainant.

Learned counsel for the petitioners submits as follows. The present case is fallout of a dispute between brothers and sisters. There is a civil suit pending between the parties. The petitioners have been falsely implicated in this case.

Learned counsel appearing on behalf of the de facto complainant/opposite party strongly opposes the prayer for anticipatory bail.

Learned counsel appearing on behalf of the State relies on the case diary, particularly on the statements of the victim recorded before the learned Magistrate and the injury report.

Considering the existence of prior disputes between the parties and the other materials contained in the case diary including the injury report which does not disclose any external injury except tenderness, I am inclined to grant anticipatory bail to the petitioner.

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 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 further condition that the petitioners shall not tamper with evidence and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)