

04.07.2025
SL.39
Ct.No.28
NB
(Allowed)

CRM (A) 1930 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Baishnabnagar P.S. Case No.962 of 2024 dated 11.09.2024 under Sections 329(4)/115(2)/64/351(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of : Prahlad Mandal @ Prohlad Mandal & Anr.
... petitioners

Md. Wasim Akram.
...for the petitioners.

Mr. Saibal Bapuli,
Mr. Parvej Anam.
...for the State.

Affidavit of service filed on behalf of the petitioners is taken on record.

Learned counsel appearing on behalf of the petitioners submits as follows. There is a long-standing dispute between the private parties. Earlier also, non-bailable offences were alleged against the present petitioners. They had to go and obtain bail. On the particular day, a marriage ceremony was going on at the petitioners' house. An altercation ensued as the victim's husband asked them to keep a space between the pandal and their house. The petitioners have not committed any offence alleged.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail and relies on the case diary. The victim refused to undergo medical test.

Considering the nature of allegations and the materials available in the case diary, the prior enmity between the private parties and the fact that charge sheet has been submitted, I am inclined to grant anticipatory bail to the present petitioners.

Accordingly, 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 Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioners shall not threaten or intimidate witnesses or tamper with evidence and shall attend the jurisdictional Court regularly and they shall surrender before the Trial Court and pray for bail within four weeks from this date.

The application for anticipatory bail being **CRM(A) 1930 of 2025** is, thus, allowed.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)