

28.07.2025
SL.51
Ct.No.28
NB

CRM (A) 2320 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 Gangarampur P.S. Case No.697 of 2024 dated 27.12.2024 under Sections 126(3)/115(2)/117(2)/110/74/76/324(4)/351(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023 read with Section 8 of the POCSO Act, 2012.

And

In the matter of: XXX & Ors.

...petitioners

Mr. Mazhar Hossain Chowdhury,
Ms. Chandrima Debnath.
...for the petitioners.

Mr. Arindam Sen,
Mr. Tirupati Mukherjee.
...for the State.

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

No one appears on behalf of the de facto complainant or victim.

Heard the learned counsels for the petitioners and the State.

Perused the case diary.

Considering the materials available in the case diary, the fact that there was a property disputes between the two parties and an alleged attempt to make a construction on another's land led to such altercation and considering the alleged roles ascribed to each of the petitioners while I am inclined to grant anticipatory bail to the petitioner nos.2 and 3, the application for anticipatory bail of the petitioner no.1 is hereby rejected.

Accordingly, in the event of arrest, the petitioner nos.2 and 3 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 petitioner nos.2 and 3 shall meet the Investigating Officer once a fortnight till submission of report in final form and shall not threaten or intimidate witnesses, whatsoever.

The application for anticipatory bail being **CRM (A) 2320 of 2025** is, thus, partly 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.)