

15.07.2025
Court No.28
Item No.22
tbsr
Allowed

CRM (A) 2200 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Bhabanipur** P.S. Case No. **145 of 2025** dated **19.05.2025** under Sections **115(2)/126(2)/303(2)/351(2)/76/3(5)** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: **Swapan Laiya & Anr.**

....Petitioners.

Mr. Navanil De
Mr. Subhrajit Dey
....for the petitioners.

Mr. Sanjoy Bardhan
Ms. Diksha Ghosh
...for the State.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioner no. 1 suffered in injury in 2023 including fracture inquires. He cannot even stand properly. There is ongoing dispute between the private parties, who are neighbours. It started with the de facto complainant throwing garbage in the property that she purchased in that area.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail and points to the injury reports and the statements of witnesses including one of the victim recorded before the Magistrate.

Considering the incriminating materials available in the case diary and the fact that the incident arose out of an altercation between neighbours, I do not consider that custodial interrogation of

the petitioners is required in this case and I am inclined to grant anticipatory bail to the petitioners.

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 cooperate with investigation, shall not threaten or intimidate witnesses and shall meet the I.O. once a fortnight till submission of report in final form.

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.)