

28/07/2025

D/L 44

Ct. No.28

S.Kundu

Allowed

C.R.M.(A) 2230 of 2025

In Re:- An application for anticipatory bail under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023/under Section 438 of the Code of Criminal Procedure. In connection with Balurghat Women police station case no. 12/2025 dated 21.2.2025 pertaining to GR case no. 361 of 2025 under sections 85/115(2)/64/511/109/74/3(5) of the BNS.

In the matter of: XXX

... Petitioner

Mr. Debashis Banerjee

Mr. Vijay Verma

Mr. Subrata Saha

Mr. Abhik Biswas

Mr. Rakesh Jana

...for the petitioner.

Ms. Afreen Begum

...for the de-facto complainant.

Mr. Prashun Kr. Dutta

Ms. Baishakhi Chatterjee

...for the State.

1. Affidavit of service filed in Court today is taken on record.
2. It appears that service was effected upon the de-facto complainant by the State authorities as it would be evident from the report filed earlier.
3. No one appears on behalf of the de-facto complainant.
4. Learned counsel appearing for the petitioner submits as follows. There is an ongoing dispute between the adverse parties. Earlier the de-facto complainant's side had inflicted injuries on 9.2.2025 on the present petitioner. The petitioner no. 1's pregnant wife was also assaulted. She had to be medically fitted in a hospital. There are case and counter case.

5. Learned counsel appearing for the State opposes the prayer for anticipatory bail. He refers to the statement of victim and other materials on record. However, the injury report does not indicate inflicting of any grievous injury.
6. Considering the materials available in the case diary and the fact that there are allegations and counter allegations, I do not think that custodial interrogation of the petitioner is required in this case and I am inclined to grant anticipatory bail to the petitioner.
7. In the event of arrest, the petitioner 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 further conditions that the petitioner shall cooperate with the investigation and the petitioner shall not threaten or intimidate witnesses.
8. Accordingly, the application for anticipatory bail is allowed.
9. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)