

AD 50
July 22, 2025
Ct. 28
SG

Allowed

CRM(A) 2236 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Balagarh P.S. Case No.262 of 2025 dated 02.06.2025 under Sections 109/117(2)/3(5)/316(2)/329(4)/85 of the BNS, 2023 and Section 4 of the D.P. Act, 1961.

And

In the matter of:

Suman Biswas

... petitioner

Mr. Tapas Kumar Ghosh

Mr. Tanmay Chowdhury

... for the petitioner

Ms. Shaila Afreen

Ms. Eshita Dutta

... for the State

Learned counsel for the petitioner submits that his client is absolutely innocent. He is also a neurological patient.

Learned counsel for the State relies on the case diary and points to the statement of the victim, who had named the petitioner, among others. However, in the injury report, the victim specifically named another accused and not the present petitioner.

Considering the materials available in the case diary as discussed above, I do not think that custodial interrogation of the petitioner is required in this case and I am inclined to allow the application for anticipatory bail.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten

thousand) 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 the further conditions that the petitioner shall cooperate with the investigation, shall meet the investigating officer as and when required and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)