

30.07.2025
Sl. No.29
Ct. 28
NB

C.R.M. (A) 2261 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 GR Case No.2528 of 2025 arising out of Nazat PS Case No.210/2025 dated 27.05.2025 under Sections 223/329(3)/115(2)/117(2)/109/324(2)/351(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023 read with sections 25/27 of the Arms Act pending before the Court of Learned Additional Chief Judicial Magistrate at Basirhat, North 24 Parganas.

And

In the matter of : Sukumar Mahato & Ors. ... petitioners

Mr. Susnigdho Bhattacharyya,
Ms. Sarmistha De.
...for the petitioners.

Ms. Manishi Sharma,
Mr. Shashanka Shekhar Saha.
...for the State.

Learned counsel appearing on behalf of the petitioners submits that the petitioners have been falsely implicated in this case.

Learned counsel appearing on behalf of the State refers to the injury report of one of the victims. She also relies on statements of local eye-witnesses who were employees of the de facto complainant.

It appears from the case diary that there is no recovery of any arms from the arrested accused. Moreover, the injury report shows that there was a simple injury inflicted on one of the victims.

Considering the materials available in the case diary and the alleged roles attributed to the present petitioners, I do not think that custodial interrogation of the petitioners would be required in this

case and I am inclined to grant anticipatory bail to the petitioners, however, by limiting their movement for a particular period.

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 meet the Investigating Officer once a fortnight till submission of report in final form and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and the petitioners shall stay outside the jurisdiction of Nazat Police Station for a period of six months from this date except for the purpose of attending the jurisdictional Court or for meeting the Investigating Officer.

The application for anticipatory bail being **CRM (A) 2261 of 2025** is, thus, allowed.

The personal appearance of the Investigating Officer is noted and is dispensed with.

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.)