

AD 48
August 20, 2025
Ct. 28
SG

CRM(A) 2305 of 2025

Allowed

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Nadanghat P.S. Case No.233 of 2025 dated 13.04.2025 under Sections 85/108/3(5) of the BNS, 2023, read with Section 3(1)(n) of the SC & ST Act.

And

In the matter of:

Basudev Debnath

... petitioner

Ms. Minoti Gomes
Ms. Madhurai Sinha

... for the petitioner

Mr. S.S. Imam
Mr. Akash Ganguly

... for the State

Heard learned counsels for the parties.

Perused the case diary.

It appears that after submission of charge-sheet, a provision under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 was omitted.

Considering the materials available in the case diary, the fact that the principal accused is the sister-in-law of the victim deceased who was arrested and has now been granted bail, the dying declaration of the victim and the statement of the victim's minor child as contained in the case diary, the role allegedly ascribed to the present petitioner and the fact that a charge-sheet has been submitted, I do not find that custodial interrogation of the petitioner

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

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 condition that the petitioner 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.)