

28.07.2025
Court No.28
Item No.68
tbsr
Allowed

CRM (A) 2347 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Balurghat** P.S. Case No.**386 of 2025** dated **10.06.2025** under Sections **126(2)/115(2)/117(2)/110/3(5)** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: **Sujit Mahanta & Anr.**

....Petitioners.

Mr. Anirban Guhathakurta
Ms. Nahid Ahmed
....for the petitioners

Mr. B. K. Roy
Mr. Kunal Ganguly
.....for the State

Leave is granted to amend the cause title.

Learned counsel appearing on behalf of the petitioners submits that an altercation broke out between co-villagers over returning of utensils given for puja. Both sides suffered injuries. But, none of them were grievous injuries.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail and relies on statements of witnesses and injury reports, which do not show inflicting of grievous injury. Threats were subsequently given that led to registration of an FIR under Section 195 A of the Penal Code.

Considering the nature of allegations, the materials available in the case diary and the fact that there are allegations and counter allegations, 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 petitioner shall cooperate with investigation and shall not threaten or intimidate witnesses.

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.)