

AD 28
August 4, 2025
Ct. 28
SG

Partly Allowed

CRM(A) 2349 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kaliachak P.S. Case No.1732 of 2024 dated 26.10.2024 under Sections 126(2)/191(2)/189(4)/115(2)/118(2)/109/61(2)/3(5) of the BNS, 2023.

And

In the matter of:

Bifal Mandal and others

... petitioners

Mr. Tapan Kumar Dutta Gupta

Mr. Parvej Anam

Mr. R. Ghosh

Mr. Sourav Sardar

... for the petitioners

Ms. Sukanya Bhattacharya

Ms. Chandreyi Dutta

... for the State

Learned counsel appearing for the petitioners submits that a free fight had been broken between two groups of locals resulting in injuries on both sides. Other similarly circumstanced co-accused were granted anticipatory bail by orders dated 23.06.2025 passed by a Coordinate Bench in CRM(A) 1900 of 2025 and dated 16.07.2025 passed by a Coordinate Bench in CRM(A) 2080 of 2025. However, the petitioner No.11 has been arrested in the meantime. As such, his application is being not pressed.

Learned counsel for the State opposes the prayer, relies on the case diary and points to the statements of witnesses and injury report of the victim as well as the accused.

Considering the nature of allegations and the fact that injuries were inflicted on both sides and other similarly circumstanced co-accused were granted anticipatory bail, I am inclined to grant anticipatory bail to the petitioner Nos.1 to 10 and 12 to 16.

However, the prayer for anticipatory bail to the petitioner No.11 is dismissed as having become infructuous.

In the event of arrest, the petitioner Nos.1 to 10 and 12 to 16 shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) 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 the further conditions that the petitioner Nos.1 to 10 and 12 to 16 shall surrender and pray for bail before the jurisdictional court within 4 weeks from this date, shall attend the court regularly and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, disposed of.

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

(Jay Sengupta, J.)