

18.08.2025
Court No.28
Item No.32
ssi

CRM (A) 2448 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Balurghat South PS Case No.**336 of 2025** dated **14.05.2025** under Sections 115(2)/117(2)/3(5)/329(4)/62/64/74 of the BNS, 2023.

And

In the matter of: **Bhabesh Chandra Das @ Kameswar Das**
....Applicant/Petitioner.

Ms. Jeenia Rudra

...for the petitioner

Mr. Rana Mukherjee
Mr. Ratna Ghosh

..for the State

Report filed on behalf of the State is taken on record.

No one appears on behalf of the de facto complainant.

Learned counsel appearing on behalf of the petitioner submits as follows. There are case and counter case. This case was started as a counter blast against the case started on behalf of the petitioner. The petitioner has been falsely implicated in this case.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. However, he submits that medical examination was refused by the victim and the statements of local witnesses did not reflect anything about the present incident. However, the same refers to a fight between the parties over an issue of catching/killing fish.

Considering the materials available in the case diary including the statements of the neighbours, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the application for anticipatory bail of the petitioner is allowed.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- 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 conditions that the petitioner shall not threaten or intimidate witnesses and shall co-operate with investigation. The petitioner shall meet the I.O. once a fortnight till submission of report in final form.

However, considering the tenor of statements of local witnesses recorded, I find that it will be in the interest of justice, if the investigation is conducted by another officer of the same police station.

Let the investigation of the case be delegated another competent officer of the said police station by the Officer in Charge of the police station forthwith.

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

(Jay Sengupta, J.)