

08.08.2025
Court No.28
Item No.12
ssi

CRM (A) 2474 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Falta PS Case No.**180 of 2025** dated **07.07.2025** under Sections **103(1)/3(5)** of the BNS, 2023.

And

In the matter of: **Nitish Mandal**

....Applicant/Petitioner.

Mr. Rajdeep Mazumder, Sr. Adv.
Mr. Tarunjyoti Tewari

...for the petitioner

Mr. Phiroze Edulji, Sr. Adv.
Mr. Koushik Kundu
Mr. Subhashis Shaw
Ms. Priyanka Bhattacharya

...for the de facto

Mr. Partha Pratim Das
Ms. Chandreyi Dutta

..for the State

Learned senior counsel appearing on behalf of the petitioner submits as follows. The petitioner, though named in the FIR in the instant case of murder, has been falsely implicated due to political rivalry. It has been clearly mentioned in the FIR that the two other co-accused were the ones who had called the victim and taken him away.

Learned senior counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail. He submits that the three accused had taken the victim to the third floor of an abandoned Cinema Hall and electrocuted him by putting electric coil around him. The body could be recovered upon a tip of after about 42 days from the incident.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail and relies on the case diary. He points to the FIR, the post-mortem report, the seizure list and the statements of witnesses. According to the seizure list, certain cables and a heater were found at the place of occurrence. There is a statement available from the owner of a shop, according to whom, the petitioner and the other co-accused had purchased such heater and coil. Investigation is going on.

Considering the above and the other incriminating materials available in the case diary and the fact that investigation is going on in this case of murder, I do not consider that this is to be a fit case for granting anticipatory bail.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Jay Sengupta, J.)