

21.08.2025
Sl. No.42
Ct. 28
NB

C.R.M. (A) 2512 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Bagnan PS Case No.184/2019 dated 28.05.2019 under Sections 323/354/506/34 of the Indian Penal Code, 1860 read with Sections 25/27 of Arms Act and 9(b) of Indian Explosive Act pending before the learned Additional Chief Judicial Magistrate, Uluberia, Howrah.

And

In the matter of: Gopinath Jana @ Bula

...petitioner

Mr. Kunal Ganguly.
...for the petitioner.

Mr. Pravash Bhattacharya,
Mr. Rahul Ganguly.
...for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner has been falsely implicated in this case. No charge sheet has been submitted against the petitioner under the provisions of the Arms Act or the Indian Explosive Act.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He submits that the petitioner has been absconding since 2019.

From the seizure list present in the case diary, it appears that the revolver in question was allegedly recovered from the residence of the FIR named accused persons. But, from the FIR it appears that there are two accused persons having two different addresses.

Considering the materials available in the case diary, the alleged role ascribed to the present petitioner and the fact that charge sheet has been submitted, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, 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 Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioner shall not threaten or intimidate witnesses or tamper with evidence and shall attend the jurisdictional Court regularly and he shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date.

The application for anticipatory bail being **C.R.M. (A) 2512 of 2025** is, thus, allowed.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)