

AD 35
August 8, 2025
Ct. 28
SG

CRM(A) 2518 of 2025

Allowed

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Rampurhat P.S. Case No.307 of 2025 dated 17.06.2025 under Sections 126(2)/117(2)/109/351(2)/3(5) of the BNS, 2023.

And

In the matter of:

Shib Kumar Bhakat and others

... petitioners

Mr. Subir Ganguly
Mr. Sumanta Ganguly

... for the petitioners

Mr. Binay Kumar Panda
Mr. Tapas Kumar Saha

... for the State

Ms. Sinthia Bala

... for the de facto complainant

Learned counsel for the petitioners submits that the petitioner No.1 is 72 years old and the petitioner Nos.2 and 3 are his sons. In 2018, the petitioners lodged an FIR against the other side. On 06.02.2025, the present de facto complainant filed an FIR against the petitioners. On 17.06.2025, the informant filed present FIR alleging, among other things, that the present petitioners assaulted them and threatened them to withdraw the earlier case.

From the injury report it appears that the injured received trauma on head, abrasion in the ankle joint and painful swelling at the wrist joint.

Considering the pendency of criminal cases from both sides and the materials available in the case diary, including the injury report, I am inclined to grant anticipatory bail to the petitioners. However, their movements need to be restricted for a limited period.

In the event of arrest, the petitioners 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 petitioners shall cooperate with the investigation, shall meet the investigating officer once a fortnight till submission of report in final form, shall stay outside the jurisdiction of Rampurhat Police Station for a period of six months except for meeting the investigating officer or attending the jurisdictional court and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

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

(Jay Sengupta, J.)

