

AD 36
August 12, 2025
Ct. 28
SG

CRM(A) 2543 of 2025

Allowed

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Chakulia P.S. Case No.122 of 2025 dated 22.04.2025 under Sections 221/132/121(2)/117(2)/118(2)/109/351(2)/3(5) of the BNS read with Section 3 of the Prevention of Damage to Public Property Act and Section 8(b) of the National Highways Act.

And

In the matter of:

Harish Paswan and others

... petitioners

Mr. Jayanta Narayan Chatterjee, Sr. Adv.

Ms. Moumita Pandit

Ms. Ritushree Banerjee

Mr. Bhaskar Mondal

... for the petitioners

Mr. Pravash Bhattacharya

Ms. Afreen Begum

... for the State

Learned senior counsel representing the petitioners submits that there was a marriage party taking a particular route. Suddenly, due to the mishandling of the situation by a civic volunteer, a truck rashly dashed into the procession injuring several persons. A criminal case in this regard has later been initiated by a local person. The present case was started suo motu with the allegation that the mob assaulted a civic volunteer as well as the driver. This case was started only to save the civic volunteer from the consequence of his dereliction of duty.

Learned counsel for the State opposes the prayer for anticipatory bail and submits that while the injury report of

the civic volunteer was simple, the one concerning the driver was shown as grievous.

Considering the nature of allegations and the fact that an unfortunate incident had triggered the subsequent events and the fact that there is no statement of any independent local witness present in the case diary, I am inclined to grant anticipatory bail to the petitioners.

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 week till submission of report in final form 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.)

