

AD 27
September 16, 2025
Ct. 28
SG

Allowed

CRM(A) 2659 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kaliachak P.S. Case No.580 of 2025 dated 11.04.2025 under Sections 105/3(5) of the BNS, 2023.

And

In the matter of:

Subhasis Mandal @ Antu Mandal

... petitioner

Mr. Sourav Chatterjee, Sr. Adv.
Mr. Biswajit Nag
Mr. Narattam Acharyya
Ms. Sudeshna Maji

... for the petitioner

Mr. Saibal Bapuli, Id. APP
Ms. Trina Mitra

... for the State

Learned senior counsel representing the petitioner submits that the victim got electrocuted by touching the grill of the shop in question and died due to shock. It was an accident. The shop in question ran in the name of the father of the petitioner whose application for anticipatory bail was dismissed as withdrawn. The petitioner is in no way responsible for the alleged crime.

Learned counsel for the de facto complainant vehemently opposes the prayer for anticipatory bail and submits that the petitioner was also running the shop in question.

Learned counsel for the State opposes the prayer for anticipatory bail. However, after relying on the materials available in the case diary and the report filed by the investigating officer, he submits that the commercial electricity connection was in the name of the petitioner's father. There was an unauthorised extension of line for running the shop. It also appears from the report that

electrocution of the grill was due to the live extended electricity line somehow coming in contact with the nut bolt inside the wooden distribution box and the nut bolt becoming live. At the same time the iron cage of the shop also became live as the nut bolt was in touch with the iron cage.

Considering the above and the other materials available in the case diary and the alleged role ascribed to the present petitioner, I am inclined to grant anticipatory bail to the petitioner.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) 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 petitioner shall cooperate with the investigation, shall meet the investigating officer once a fortnight 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.)