

02/09/2025

D/L 40

Ct. No.28

S.Kundu

Partly Allowed

C.R.M.(A) 2799 of 2025

In Re:- An application for anticipatory bail under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023/under Section 438 of the Code of Criminal Procedure. In connection with Tehatta police station case no. 454 of 2025 dated 18.6.2025 under sections 109/118(2)/329(3)/74/3(5) of the BNS.

In the matter of: **Murari Mondal & Ors.**

... Petitioners

Mr. Dipanjan Chatterjee

Ms. Rimpa Adhikari

Ms. Kakan Das

Ms. A. Kundu

...for the petitioners.

Mr. Partha Pratim Das

Ms. Diksha Ghosh

...for the State.

1. Learned counsel appearing on behalf of the petitioners submits as follows. The victim suddenly came with a married lady in a common household and wanted reside there. Altercations ensued. Injuries were suffered on both sides. In April, 2025, an FIR was lodged by the petitioners. It was only in June, 2025 that the present FIR was registered by the other side as a counter-blast.
2. Learned counsel appearing for the State strongly opposes the prayer for anticipatory bail. He refers to the medical document, which shows fracture injury, and to the statements of the victim as well as the other witnesses.
3. Considering the fact that there are case and counter case, the materials available in the case diary and the roles ascribed to each of the petitioners, while I am inclined to

grant anticipatory bail to the petitioner nos. 1 (Murari Mondal) and 3 (Bharati Mondal), the application for anticipatory bail of the petitioner no. 2 is rejected.

4. In the event of arrest, the petitioner nos. 1 and 3 shall be released on bail upon furnishing a bond of Rs.10,000/- 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 further conditions that the said petitioners shall cooperate with the investigation and shall not threaten or intimidate witnesses. The petitioner no. 1 shall meet the I.O once a fortnight till submission of report in final form.
5. Accordingly, the application for anticipatory bail is allowed-in-part.
6. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)