

07.08.2025
SL.277
Ct.No.28
NB

CRM (A) 2802 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 Rabindra Sarobar P.S. Case No.17 of 2025 dated 28.01.2025 under Sections 385/386/120B of the Indian Penal Code.

And

In the matter of: Yudhister Hakumal Bhagnani

.... petitioner

Mr. Kalyan Bandopadhyay Sr. Adv.,
Mr. Pramiti Banerjee,
Mr. Moyukh MUKherjee,
Ms. Pushpa Misra,
Ms. Sagnika Banerjee.
...for the petitioner.

Mr. Debasish Roy Id.PP.,
Mr. Suman De.
...for the State.

Mr. Sabyasachi Banerjee Sr.Adv.,
Mr. Nigam Ashish Chakraborty,
Mr. Agniva Banerjee,
Ms. Ankita Bail.
...for the de facto complainant.

Learned senior counsel representing the petitioner submits as follows. The petitioner is aged about 72 years. There is a family dispute going on between the petitioner and his brother. This has led to several litigations. There is an earlier case of 2023 started by the petitioner's son-in-law against the side of the present de facto complainant. As a counterblast, the present FIR has been lodged. There are absurd allegations made that the 72 years old person would go with goons to threaten people.

Learned senior counsel representing the de facto complainant strongly opposes the prayer for anticipatory bail. He submits that the

petitioner is in the habit of trying to win over witnesses whether with money or by using muscle power.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statements of the two witnesses who are the employees of the de facto complainant. A complaint case had to be filed against the present petitioner with similar allegations. An enquiry report was filed by the police making serious imputations against the present petitioner.

Considering the materials available in the case diary and the fact that there is a prior case started from the other side, I do not consider this to be a case where custodial interrogation of the petitioner would be required and I am inclined to grant anticipatory bail to the petitioner. However, as the allegations also relate to threats given by using of muscle power, the movement of the petitioner deserves to be restricted for a limited period.

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 cooperate with the investigation and shall not threaten or intimidate witnesses and shall meet the Investigating Officer as and when required and shall stay outside the jurisdiction of Rabindra Sarobar Police Station for a period of six months from this date except for the purpose of

attending the jurisdictional Court or for meeting the Investigating Officer.

The application for anticipatory bail being **CRM (A) 2802 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.)