

10.09.2025
Court No.28
Item No.29
tbsr
Allowed

CRM (A) 2819 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Baishnabnagar** P.S. Case No.**489 of 2025** dated **28.04.2025** under Sections **109/115(2)/118(2)/126(2)/3(5)** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: **Pintu Mandal & Ors.**

....Petitioners.

Mr. Biswajit Tiwari
...for the petitioners

Md. Anwar Hossain
Mr. A. S. Chatterjee
....for the State

Learned counsel appearing on behalf of the petitioners submits as follows. There was a long standing dispute between two families. On a particular day, a scuffle ensued. There was a case started by the petitioners. As a counter blast, the present case was initiated. The prime accused Rajesh was arrested and was granted bail.

Learned counsel appearing on behalf of the State relies on the case diary and opposes the prayer for anticipatory bail.

Considering the materials available in the case diary including the injury report, the statements of witnesses and the fact that the dispute arose from the said Rajesh allegedly refusing to pay dues and the fact that prime accused Rajesh was arrested and was granted bail, I do not find that custodial interrogation of the petitioners is required in this case and I am inclined to grant anticipatory bail to the present petitioners, however, by restricting their movement for a limited period.

In the event of arrest, the petitioners 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 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 further condition that the petitioners shall co-operate with investigation, shall not threaten or intimidate witnesses, the petitioner nos. 1, 3 and 4 shall meet the I.O. once a week till submission of report in final form and the petitioners nos. 1, 3 and 4 shall stay outside the jurisdiction of Baishnabnagar P.S. for a period of four months from this date except for meeting the I.O. or attending the jurisdictional Court.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)