

10/09/2025

D/L 37

Ct. No.28

S.Kundu

Allowed

C.R.M.(A) 2827 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 Nakashipara police station case no. 14 of 2025 dated 4.1.2025 under sections 109/115(2)/117(2)/118(2)/303(2)/75/76/3(5) of the BNS.

In the matter of: **Tarak Nath Ghosh & Ors.**

... Petitioners

Mr. Khalid Hasan

...for the petitioners.

Mr. Anupam Das Adhikari

Ms. Debadrita Mondal

...for the State.

1. Learned counsel appearing for the petitioners submits as follows. Due to a land dispute, a meeting was held between the private parties. A scuffle took place resulting in injuries on both sides. There was a delay in lodging the present FIR which was lodged pursuant to an application under Section 175(3) of the BNSS. None suffered any grievous injuries.
2. Learned counsel appearing for the State opposes the prayer for anticipatory bail. He refers to the injury reports and the statements of witnesses including eye-witnesses.
3. Considering the fact that there are allegations and counter allegations, none of the injuries inflicted was grievous in nature, I do not think that custodial interrogation of the petitioners is required in this case

and I am inclined to grant anticipatory bail to the petitioners, however, by limiting the movement for some time.

4. 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 further conditions that the petitioners shall cooperate with the investigation and shall not threaten or intimidate witnesses. The petitioners shall meet the I.O once a week till submission of charge-sheet. The petitioners shall stay outside the jurisdiction of Nakashipara Police Station for a period of three months except for meeting the Investigating Officer or attending the Court.
5. Accordingly, the instant application for anticipatory bail is allowed.
6. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)