

17.09.2025
Court No.28
Item No.28
ssi

CRM (A) 2882 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Ratua PS Case No.**33 of 2025** dated **16.01.2025** under Sections 105(1)/3 (5) of the BNS 2023.

And

In the matter of: **Kheltu @ Sekh Kheltu**

....Applicant/Petitioner.

Mr. Sunayan Ghosh
Mr. Amit Ranjan Pati
Ms. Swastika Chowdhury
Ms. K. Kubra
Mr. Anish Goswami

...for the petitioner

Ms. Shaila Afrin
Ms. Jonaki Saha

...for the State

Learned counsel appearing on behalf of the petitioner submits as follows. Although an FIR was registered on allegation of murder, a charge sheet was submitted only under Section 105(1) of the BNS read with Section 35 of the BNS. A co-accused was granted bail by this Court. From the post mortem report, it would appear that the single blow was not sufficient caused death.

Learned counsel appearing on behalf of the State submits as follows. Although, a post mortem report kept the opinion about death pending, the eye-witnesses stated that the petitioner and another person had beaten up the victim and have pushed him on the ground.

Considering the nature of allegations, the fact that other than the abrasion, there is no other visible injury on the dead body of the

victim and charge sheet has already been submitted, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the application for anticipatory bail of the petitioner is allowed.

However, 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 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 conditions that the petitioner shall not threaten or intimidate the witnesses. The petitioner shall attend the jurisdictional Court regularly and he shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date.

The application for anticipatory bail is, thus, disposed of.

(Jay Sengupta, J.)