

AD 54
September 11, 2025
Ct. 28
SG

Partly Allowed

CRM(A) 2897 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Raiganj P.S. Case No.809 of 2025 dated 22.07.2025 under Sections 126(2)/115(2)/109/74/3(5) of the BNS.

And

In the matter of:

Karan Tiwari and others

... petitioners

Mr. Amit Roy

... for the petitioners

Mr. Shiladitya Banerjee

Mr. Debanik Das

... for the State

Mr. Pradyut Saha

Mr. Nirupam Dhali

... for the de facto complainant

Learned counsel for the petitioners submits that a scuffle took place between neighbours. Both sides suffered injuries, but none of them was grievous. There are case and counter case filed by the adverse parties against each other.

Learned counsel for the de facto complainant strongly opposes the prayer for anticipatory bail and submits that one of the victims had to be hospitalised and treated there for four days. There are injuries inflicted on the head, the chest and the back side, etc.

Learned counsel for the State opposes the prayer for anticipatory bail and relies on the statements of the victims and local witnesses as also on the injury report and the bed head ticket.

Considering the materials available in the case diary and the alleged role ascribed to the present petitioners, while I am inclined to grant anticipatory bail to the petitioner Nos.3 and 4 as they are female members of the family, the application for anticipatory bail of the petitioner Nos.1 and 2 (Karan Tiwari and Om Prakash Tiwari) is rejected.

In the event of arrest, the petitioner Nos.3 and 4 (Priya Tiwari and Anju Sukul Tiwari) shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) 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 the further conditions that the petitioner Nos.3 and 4 shall cooperate with the investigation and shall not threaten or intimidate witnesses.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)