

11/09/2025

D/L 72

Ct. No.28

S.Kundu

Allowed

C.R.M.(A) 2916 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 Asansol police station case no. 34/2025 dated 20.1.2025 under sections 329/115(2)/117(2)/110/351(2) of the BNS.

In the matter of: **Boby Shaw @ Boby Devi Shaw & Ors.**
... Petitioners

Ms. Puja Goswami
Ms. Shreya Mondal

...for the petitioners.

Ms. Manisha Sharma
Ms. S. Saha

...for the State.

1. Heard the learned counsels for the parties.
2. Perused the case diary.
3. The prosecution is that there was a dispute between the neighbours that resulted in a fight. The case of the petitioners is that FIRs were lodged from both the sides. The petitioner no. 3 had to remain hospitalized for a few days.
4. According to the learned counsel for the State that the victim in this case also had to remain hospitalised for some time.
5. Considering the fact that there were case and the counter case and that there was a fight between the parties which resulted in injuries on both sides, 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.

6. 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 petitioner no. 4 shall meet the I.O once a fortnight till submission of report in final form.
7. Accordingly, the instant application for anticipatory bail is allowed.
8. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)