

17.09.2025
Court No.28
Item No.41
tbsr
Allowed

CRM (A) 2962 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Kaliachak** P.S. Case No.**2114 of 2024** dated **31.12.2024** under Sections **329(3)/329(4)/115(2)/117(2)/324(4)/326(g)/351(2)/3(5)** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Joydeb Mandal @ Jaydeb Mandal & Ors.

....Petitioners.

Md. Wasim Akram
Ms. Sabrina Parveen
...for the petitioners.

Mr. Binoy Kumar Panda
Mr. Debanshu Ghorai
.....for the State.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners have been falsely implicated in this case. Some other co-accused were granted anticipatory bail by the Sessions Judge.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the case diary and submits that not only was the room vandalized and money looted away, but the verandah was also set on fire.

It appears that the statements of the independent witnesses are hearsay in nature. There is a seizure list of some wooden and bamboo. It appears that no injury was suffered by anyone.

Considering the above, the other material available in the case diary, that anticipatory bail was granted to some other co-accused and the fact that charge sheet has been submitted, I am inclined to grant anticipatory bail to the petitioners, however, by limiting their movement for a particular 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 not threaten or intimidate witnesses, shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date and shall regularly attend the jurisdictional Court and shall stay the outside the jurisdiction of Kaliachak P.S. for a period of six months except for meeting the Investigating Officer 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.)