

AD 21
November 10, 2025
Ct. 28
SG

Allowed

CRM(A) 2986 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Lalgarh Police Station Case No.31 of 2025 dated 26.03.2025 under Sections 303(2)/317(2)/317(4)/317(5)/61(2) of the BNS, 2023 and Section 21 of the Minor & Minerals (Development and Regulation) Act, 1957.

And

In the matter of:

Arun Kundu

... petitioner

Mr. Sujay Bandyopadhyay

Mr. Jagajyoti Das

Mr. Subhamoy Dutta

... for the petitioner

Mr. Anand Keshari

... for the State

Report filed by the State is taken on record.

Supplementary affidavit filed by the petitioner is also taken on record.

Learned counsel for the petitioner submits that the petitioner is absolutely innocent. He is only the owner of the tractor which was seized while allegedly transporting sand beyond the limit in question. The tractor was actually leased out to the co-accused. The kind of business that was run by the co-accused was not known to the petitioner.

Learned counsel for the State opposes the prayer for anticipatory bail, but submits that a charge-sheet has been submitted. The report shows, upon verification, that there was a lease deed executed by the petitioner in favour of the

co-accused permitted him to use the tractor for a period of time.

Considering the above and the other materials available in the case diary, the alleged role ascribed to the present petitioner and the fact that a charge-sheet has been submitted, I am inclined to grant anticipatory bail to the petitioner.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) 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 shall surrender before the learned Jurisdictional Court and pray for bail within four weeks from this date and the petitioner shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

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

(Jay Sengupta, J.)