

19.09.2025
Court No.28
Item No.54
tbsr
Allowed

CRM (A) 3062 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Khatra** P.S. Case No.**66 of 2025** dated **11.07.2025** under Sections **329(4)/118(2)/109(1)/76/305(A)/35** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Goutam Kaibarta & Ors.

....Petitioners.

Mr. Arkaprabho Roy
...for the petitioners.

Ms. Sukanya Bhattacharya
Ms. Rita Dutta
.....for the State.

Learned counsel appearing on behalf of the petitioners submits as follows. Every year when the petitioners try to make construction at their house, the neighbours come and interfere. Thereafter, altercations are issued. Last year also there was a similar incident. The petitioners were all granted bail. This time even the 14 years old son of the petitioner nos. 1 and 2 has not been spared. Injuries were suffered on both sides.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. She refers to the statements of victims and other local witnesses and to the injury reports. Although one of the injuries was on head, it does not appear that any of the injuries was grievous in nature.

Considering the above and in view of the kind of statements made by witnesses that they are troubled with the disturbance that goes on

when the two families fight, 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 petitioner.

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 cooperate with investigation, the petitioner no. 1 shall meet the I.O. once a fortnight till submission of report in final form and shall not threaten or intimidate witnesses.

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.)