

AD 11
October 27, 2025
Ct. 28
SG

Allowed

CRM(A) 3128 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Bamongola P.S. Case No.92 of 2025 dated 13.06.2025 under Section 46 of the Bengal Excise Act, 1909.

And

In the matter of:

Amal Sarkar and another

... petitioners

Md. Wasim Akram

... for the petitioners

Mr. Anand Keshri

Mr. Santanu Talukdar

... for the State

Learned counsel for the petitioners submits that bottles of liquor worth Rs.13,980/- were allegedly seized from the petitioners' residence. These were actually made for consumption at an upcoming programme. The maximum punishment is one year's imprisonment along with fine. No notice was given to the petitioners.

Learned counsel for the State opposes the prayer for anticipatory bail and relies on the case diary. He points to the FIR as well as the statements of neighbours and the seizure list.

Considering the nature of allegations, the quantity of liquor seized and the other materials on record, I am inclined to grant anticipatory bail to the petitioners.

In the event of arrest, the petitioners 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 petitioners shall cooperate with the investigation, the petitioner No.1 shall meet the investigating officer once a fortnight till submission of report in final form and the petitioners 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.)