

29.10.2025
Court No.28
Item No.39
ssi

CRM (A) 3245 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Chanditala PS Case No.**349 of 2025** dated **14.05.2025** under Sections 126(2)/115(2)/117(2)/109/352/351 (3)/3(5) of the BNS, 2023.

And

In the matter of: **Dilip Dalui @ Dilip Dolui & another.**

....Applicants/Petitioners.

Mr. Ayan Basu
Mr. Sandip Kr. Mondal
Mr. Sumit Routh
Ms. Keya Santra

...for the petitioners

Mr. S. S. Imam
Ms. Debjani Sahu

...for the State

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are not the prime accused in this case. On the night of Kali Puja, the alleged victim got inebriated and started creating a ruckus in the locality. The local people thrashed him up.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. She refers to the statements of the victim and his relatives and to the injury report which showed a cut injury on the scalp.

It appears that the case diary does not contain the statement of any independent witnesses, although the incident purportedly happened in front of others.

According to the victim's statement made before the doctor, when he had gone to by alcohol (Beer), unknown persons hit him on head with bamboo.

Considering the materials available in the case diary, the alleged roles ascribed to the present petitioners and the fact that charge sheet has been submitted, I am inclined to grant anticipatory bail to the petitioners.

Accordingly, the application for anticipatory bail of the petitioners is allowed.

However, 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 the witnesses. The petitioners shall attend the jurisdictional Court regularly and shall surrender before the learned trial Court and pray for bail within four weeks from this date.

The application for anticipatory bail is, thus, disposed of.

(Jay Sengupta, J.)