

AD 27
November 4, 2025
Ct. 28
SG

Allowed

CRM(A) 3253 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Lalgola Police Station Case No.148 of 2025 dated 21.02.2025 under Sections 126(2)/117(2)/118(2)/109/3(5) of the BNS, 2023.

And

In the matter of:

Masadul Sk. @ Mithu @ Md. Masudal Alam
... petitioner

Mr. Debapriya Samanta
Mr. Suhotro Palit
Mr. Akash Kumar Chakraborty
Ms. Riya Saha

... for the petitioner

Ms. Shaila Afreen
Ms. Suchismita Dutta

... for the State

Md. Jannat Ul Firdous
... for the de facto complainant

Learned counsel for the petitioner submits that the petitioner is absolutely innocent. There was an altercation between the private parties. However, as the petitioner had an existing issue in one of his eyes, there was some damage caused when he started shouting.

Learned counsel for the de facto complainant, upon instruction from the alleged victim who is present in Court, submits that he does not have any objection as regards granting anticipatory bail to the present petitioner as the private parties are brothers.

Learned counsel for the State opposes the prayer for anticipatory bail and refers to the statements of eyewitness, the victim and the injury report.

Considering the materials available in the case diary, the submissions advanced on behalf of the respective parties 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.)