

07.11.2025
Court No.28
Item No.64
tbsr
Allowed

CRM (A) 3335 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Suti** P.S. Case No.**585 of 2025** dated **19.05.2025** under Sections **117(2)/118(2)/3(5)** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Bharat Ghosh & Ors.

....Petitioners.

Mr. Mritunjoy Chgatterjee
Ms. Suchismita Chakraborty
Mr. Arka Roy
...for the petitioners

Mr. Bibaswan Bhattacharya
Ms. Eshita Dutta
....for the State

Learned counsel appearing on behalf of the petitioners submits as follows. The alleged incident occurred on 04.12.2024. Yet, after about six months the de facto complainant filed an application before the Magistrate in May 2025 pursuant to which a present FIR was registered. Actually, there was a scuffle between the neighbours over certain issues.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the materials available in the case diary including the statements of witnesses and the injury report, which shows fracture of the top portion of a finger of a victim.

Considering the materials available in the case diary and the delay in lodging the First Information Report, 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 petitioners.

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, shall not threaten or intimidate witnesses and shall meet the I.O. once a week till submission of report in final form.

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.)