

AD 69
November 17, 2025
Ct. 28
SG

Allowed

CRM(A) 3573 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Nazat Police Station Case No.139 of 2019 dated 08.06.2019 under Sections 147, 148, 149, 325, 326 & 302 of the IPC, 1860 read with Sections 25 & 27 of the Arms Act, 1959.

And

In the matter of:

Dibyendu Mondal and others

... petitioners

Mr. Siddhartha Sarkar

... for the petitioners

Ms. Anasuya Sinha, Id. APP

Mr. Dipankar Paramanick

... for the State

Learned counsel for the petitioners submits that the petitioners were not named either in the FIR lodged in 2019 or in the charge-sheet filed in 2019 itself. They have been named for the first time in the supplementary charge-sheet in 2025. Earlier, several other co-accused were granted anticipatory bail. Some were denied the benefit of the anticipatory bail because they had absconded for long.

Learned counsel for the State opposes the prayer for anticipatory bail, relies on the case diary and points to the subsequent statement of the father of the victim recorded before learned Magistrate in 2025.

It appears from the statement of the witness that he has purportedly given further names as accused of those who were missed in the FIR.

Considering the materials available in the case diary, the alleged roles ascribed to the present petitioners, the fact that the petitioners' names came up about six years after the registration of the FIR, the fact that several other co-accused had been granted anticipatory bail earlier and that charge-sheet has been submitted, 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 surrender before the jurisdictional court and pray for bail within four weeks from this date, shall attend the jurisdictional court regularly and 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.)