

AD 26
December 4, 2025
Ct. 28
SG

Allowed

CRM(A) 3657 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Chandipur Police Station Case No.324 of 2025 dated 21.08.2025 under Sections 109/115(2)/117(2)/126(2)/351 (2) of the BNS, 2023.

And

In the matter of:

Sumit Giri

... petitioner

Mr. Bikash Ranjan Bhattacharya, Sr. Adv.

Mr. Samim Ahammed

Ms. Gulsanwara Pervin

Mr. Arka Ranjan Bhattacharya

... for the petitioner

Ms. Shaila Arfin

Mr. Abhishek Verma

... for the State

Learned senior counsel representing the petitioner submits that although the alleged incident is of 10th August, 2025, it would appear that the victim was allegedly admitted in hospital on 15th August, 2025 and an FIR was lodged on 25th August, 2025. The necessary inference is that the injury in question was suffered from some other incident.

Learned counsel for the State opposes the prayer for anticipatory bail and relies on the statements of the victim and an independent eyewitness and medical report.

It is, indeed, strange that if the victim had suffered such serious injuries on 10.08.2025, he would be admitted at hospital on 15.08.2025. The first scan report appears to be of 13.08.2025.

There was also a delay caused in lodging the FIR.

Considering the above and the other materials available in the case diary, although I am inclined to grant anticipatory bail to the petitioner, his movement may remain restricted for a limited period.

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 cooperate with the investigation, shall meet the investigating officer once a fortnight till submission of report in final form, shall stay beyond the jurisdiction of Chandipur Police Station for a period of four months except for meeting the investigating officer or attending the jurisdictional court 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.)