

08.12.2025
Court No.28
Item No.48
tbsr
Partly Allowed

CRM (A) 3846 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Banshihari** P.S. Case No.**402 of 2025** dated **01.09.2025** under Sections **126(2)/117(2)/109/74/3(5)** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Amal Chowdhury & Ors.

....Petitioners.

Mr. Sourav Mondal
Mr. Sakhawat Khandakar
Mr. Abha Chowdhury
Mr. Rony Mondal
...for the petitioners.

Mr. Aniket Mitra
Mr. Prakash Mishra
.....for the State.

Learned counsel appearing on behalf of the petitioners submits as follows. There are case and counter case between the family members. The petitioners have been falsely implicated in this case.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He refers to the statement of the victim recorded before the police and the statements of the de facto complainant and the wife of the victim recorded before the Magistrate and the injury report showing grievous injury.

Considering the above and the other materials available in the case diary and the alleged roles attributed to each of the present petitioners, while I am inclined to grant anticipatory bail to the petitioner nos. 2 and 3, the application for anticipatory bail of the petitioner no. 1 (Amal Chowdhury) is rejected.

In the event of arrest, the petitioner nos. 2 (Abha Chowdhury @ Avarani Chowdhury) and 3 (Debasish Chowdhury) 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 petitioner Nos. 2 and 3 shall cooperate with investigation, shall not threaten or intimidate witnesses and the petitioner no. 3 shall meet the Investigating Officer once a fortnight till submission of report in final form.

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

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)