

03/12/2025
D/L - 51
Court No.28
S. Kundu
Allowed

C.R.M.(A) 3876 of 2025

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Palashipara P.S case no. 420 of 2025 dated 24/8/2025 under sections 115(2)/109/329(4)/352/3(5) of the BNS.

In the matter of: Ashutosh Sarkar & Anr.

...Petitioners.

Mr. Amal Islam
Mr. Sourav Mukherjee

...for the petitioners.

Mr. Pravash Bhattacharyya
Ms. Jonaki Saha

...for the State.

1. Learned counsel appearing on behalf of the petitioners submits as follows. The present case is a counterblast against an FIR lodged earlier by the petitioner no. 1. The petitioner no. 2 was in the family way at the time when she was assaulted by the de-facto complainant.
2. Learned counsel appearing for the State opposes the prayer for anticipatory bail. He relies on the statements of witnesses and the injury report which does not show inflicting of any grievous injury.
3. Considering the above and the other materials available in the case diary, 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.

4. 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 further conditions that the petitioners shall cooperate with the investigation and shall not threaten or intimidate the witnesses. The petitioner no. 1 shall meet the I.O once a fortnight till submission of report in final form.
5. Accordingly, the application for anticipatory bail is allowed.
6. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)