

22.12.2025  
Sl. No.69  
Ct. 28  
NB

**CRM (A) 4056 of 2025**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Murarai PS Case No.354/2025 dated 25.10.2025 under Section 126(2)/115(2)/117(2)/118(2)/303(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Biswanath Sahu

... petitioner

Mr. Debapriya Samanta,  
Mr. Samrat Ghosh,  
Ms. Riya Saha,  
Mr. S. Palit,  
Mr. Akash Chokraborty,  
Mr. Raktim Siddhanta,  
Ms. Tiyasa Singha Roy,  
Ms. Rima Halder.

...for the petitioner.

Mr. S. S. Imam,  
Mr. Mainak Gupta.

...for the State.

Learned senior counsel representing the petitioner submits as follows. The petitioner is a 70-year old retired teacher and is physically handicapped, having lost one arm. His son is mentally retarded. The complainant called the petitioner's son names. In the process, the victim collided with another and sustained injuries.

Learned counsel appearing on behalf of the State strongly opposes the prayer for anticipatory bail. He relies on the statements of the injured and a local witness as also on the injury report. The injury report shows a fracture injury on shoulder. From the statements of the victim it appears that while the petitioner and others assaulted the victim and kicked her, it was another accused Bidyut Sahu @ Amit who had hit the victim with an iron rod.

Considering the above, the other materials available in the case diary, the alleged role ascribed to the present petitioner and the fact that the petitioner is aged and specially challenged, I do not think that custodial interrogation of the petitioner is required in this case and I am inclined to grant anticipatory bail to the present petitioner.

Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioner shall cooperate with the investigation and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and shall meet the Investigating Officer once a week till submission of report in final form.

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

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

**(Jay Sengupta, J.)**