

22.12.2025
SL.70
Ct.No.28
NB

CRM (A) 4057 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 GR Case No.3819 of 2025 arising out of Kaliachak P.S. Case No.1349/2025 dated 30.07.2025 under Sections 127(2)/117(2)/109 of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Dwarika Mandal

.... petitioner

Mr. Kalidas Saha,
Mr. Pikesesh Kumar Chauhan.
...for the petitioner.

Mr. Siladitya Banerjee,
Ms. Poulami Bose.
...for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. A fight between the children led to their parents getting into an altercation. No grievous injury was caused. Charge sheet has been submitted.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He submits that the de facto complainant's son was playing a flute and walking down the road. This infuriated the petitioner, who assaulted the victim, and tried to strangle him with a nylon rope.

Considering the above and the other materials available in the case diary, the fact that the injury report does not show inflicting of any injury and the fact that charge sheet has been submitted although I am inclined to grant anticipatory bail to the petitioner, his movement needs to be restricted for a limited period.

Accordingly, in the event of arrest, the petitioner 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 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 not threaten or intimidate witnesses or tamper with evidence and shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date, and the petitioner shall attend the jurisdictional Court regularly and shall stay outside the jurisdiction of Kaliachak Police Station for a period of two months from this date except for the purpose of attending the jurisdictional Court or for meeting the Investigating Officer.

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.)