

11.12.2025
Court No.28
Item.317
ssi

CRM (A) 4236 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Bidhannagar Police Station Case No.**200 of 2025** dated **15.11.2025** under Sections **109/115(2)/117(2)/126(2)/127(7)/351(2)/3(5)** of the BNS 2023.

And

In the matter of: **Utpal Majumder & others.**

....Applicants/Petitioners.

Mr. Moyukh Mukherjee
Ms. Sarmistha Basak

...for the petitioners

Mr. Saibal Bapuli, Ld. APP
Mr. Dipankar Paramanick

..for the State

Learned counsel appearing on behalf of the petitioners submits as follows. There is a civil dispute pending between the private parties. A civil suit was filed and an injunction was granted in favour of the petitioners. Yet, the niece of the petitioner no.1, in collusion with the local police authorities, has been initiating criminal cases one after the other over the same issue. Prior to this, four FIRs were initiated. Three of those proceedings were stayed by this Court, and in one, there was an order passed for taking no coercive measures. No prima facie case is made out in the present FIR, especially so far as Section 109 of the BNSS is concerned.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. The petitioners are accused in eight criminal cases. He refers to the statements of witnesses and the injury report which does not show infliction of any grievous injury. It only mentions physical assault and trauma.

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.

Accordingly, the application for anticipatory bail of the petitioners is allowed.

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 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 conditions that the petitioners shall co-operate with the investigation and shall not threaten or intimidate the witnesses. The petitioner nos. 1, 3 and 5 shall meet the I.O. as and when required.

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

(Jay Sengupta, J.)