

AD 3
March 27, 2026
Ct. 6
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IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Appellate Side

CRM(A) 775 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kotwali Police Station Case No.294 of 2025 dated 22.03.2025 under Sections 223/221/224/121(1)/132 of the BNS 2023 read with Section 3 of the Prevention of Damage to Public Property Act read with Section 6 of the Noise Pollution Regulation and Control Rules..

And

In the matter of: *Bholanath Agarwal.*

... *petitioner*

Mr. Arnab Saha
Md. Shoaib Akhtar

... for the petitioner

Mr. Nilay Chakraborty, Ld. APP
Mr. Bhaskar Das

... for the State

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner has been falsely implicated in this case. The case was started suo moto. No one was injured in the incident.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statements of witnesses. However, he submits that there is no injury report present in the case diary.

Considering the above and the other materials available in the case diary, 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 petitioner.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) 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 the further conditions that the petitioner shall cooperate with the investigation and shall not threaten or intimidate the witnesses. The petitioner shall meet the Investigating Officer once a week till submission of report in final form.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)