

03/02/2026
D/L – 34
Court No.28
S. Kundu
Partly Allowed

C.R.M.(A) 76 of 2026

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Murarai P.S case no. 354 of 2025 dated 25/10/2025 under sections 126(2)/115(2)/117(2)/118(2)/303(2)/3(5) of the BNS.

In the matter of: Bipul Sahu @ Bipul Kumar Sahu & Anr.

...Petitioners.

Mr. Debapriya Samanta
Mr. Samrat Ghosh
Mr. Raktim Siddnanta
Ms. Tiya Singh Roy

...for the petitioners.

Mr. Prasun Kr. Dutta
Mr. Anindya Sundar Chatterjee

...for the State.

1. Learned counsel appearing on behalf of the petitioners submits that the petitioners have been falsely implicated in this case. The principal accused is someone else. Another co-accused standing on substantially similar footing was granted anticipatory bail by this Court on 22.12.2025 in CRM (A) 4056 of 2025. The petitioner no. 2 is a mentally challenged person.
2. Learned counsel appearing for the State opposes the prayer for anticipatory bail. He submits that although similar roles have been attributed to all the accused in most of the statements including that of the victim, there is a statement of an eye-witness present at page 44 of the case diary which stated that one Bidyut Sahu @ Amit,

another co-accused had also hit the victim with the iron rod. There was grievous injury received by the victim.

3. It also appears that the person who was granted anticipatory bail by this Court was a physically handicapped person.
4. Considering the above and the other materials available in the case diary, the fact that the petitioner no. 2 has claimed to be a mentally challenged person, while I am inclined to grant anticipatory bail of the petitioner no. 2 (Biplob Sahu @ Biplab Kumar Saha), the application for anticipatory bail of the petitioner no. 1 is rejected.
5. In the event of arrest, the petitioner no. 2 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 said petitioner shall cooperate with the investigation and shall not threaten or intimidate the witnesses. The said petitioner shall meet the I.O as and when required.
6. Accordingly, the application for anticipatory bail is allowed-in-part.
7. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)