

10.02.2026
Court No.28
Item No. 65
tbsr
Allowed

CRM (A) 319 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Samsherganj** P.S. Case No. **44 of 2025** dated **22.01.2025** under Sections **179/180** of the BNS, 2023.

And

In the matter of: Shyam Charan Mandal

....Petitioner.

Mr. Amitabha Karmakar
Mr. Arup Kumar Bhowmick
....for the petitioner
Ms. Rituparna Ghosh
Ms. Debadrita Mondal
....for the State

Report filed on behalf of the State is taken on record.

Learned counsel appearing on behalf of the petitioner submits that the only material available against the petitioner is the statement of a co-accused, which is inadmissible in evidence.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. She submits that there is no criminal antecedent or money trail to implicate the petitioner. CDR analysis also could not be done. Charge sheet has been submitted. A warrant of arrest is pending.

Considering the above, the other materials available in the case diary, the fact that the only material available against the petitioner is the statement of a co-accused and the fact that charge sheet has been submitted, 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/- 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 condition that the petitioner shall surrender before the learned jurisdictional Court within four weeks from this date and pray for bail and shall attend the jurisdictional Court regularly and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

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.)