

05.03.2026
Court No.28
Item No.25
tbsr
Allowed

CRM (A) 333 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Sabang** P.S. Case No.**229 of 2025** dated **17.07.2025** under Sections **115(2)/74/64(1)/351(2)/3(5)** of the BNS, 2023.

And

In the matter of: **Manik Lal Jana @ Maniklal Jana & Ors.**

....Petitioners.

Mr. Navanil De
Mr. Srinjan Ghosh
...for the petitioners.

Mr. Anupam Das Adhikary
Mrs. Manasi Roy
....for the State.

Mr. Sujan Chatterjee
Mr. Rohan Bavishi
....for the de facto complainant.

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

Learned counsel appearing on behalf of the petitioners submits as follows. There was a prior civil case pending between the private parties. The principal accused, Tapan Jana was arrested and was thereafter granted bail. Charge sheet has already been submitted.

Learned counsel appearing on behalf of the de facto complainant submits that his client would not have any objection if anticipatory bail is granted to the present petitioners.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statements of the victim recorded before the learned Magistrate and the statements of the other witnesses. However, the alleged victim refused to undergo medical examination.

Considering the above, the other materials available in the case diary, the fact that the alleged victim refused to undergo medical examination and the fact that charge sheet has already been submitted, I am inclined to grant anticipatory bail to the petitioners.

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 condition that the petitioners shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date 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 copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)