

20.02.2026
Sl. No.56
Ct. 28
NB

C.R.M (A) 400 of 2026

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Chandrakona PS Case No.376/2025 dated 02.08.2025 under Sections 336(2)/329(3)/76/64/79/351(2)/3(5) of BNS, 2023.

And

In the matter of: Sashibhusan Ghosal @ Shashibhusan Ghoshal
... petitioner

Mr. Santimay Bhattacharyya,
Mr. Ziaul Haque,
Mr. Alope Bhattacharyya.
...for the petitioner.

Mr. Saibal Bapuli,
Mr. Arani Bhattacharyya.
...for the State.

Mr. S. Roy.
...for the de facto complainant.

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

Learned counsel appearing on behalf of the petitioner submits as follows. The alleged victim and her husband had taken money and failed to pay the same. The co-accused had made a prayer before the Mediation Centre and a notice was issued to the alleged victim in this regard. Soon thereafter, the present FIR was registered. A similarly circumstanced co-accused was granted anticipatory bail by this Court on 03.11.2025 *in CRM (A) 3192 of 2025*.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statement

of the victim and the statements of local witnesses. However, he admits that the victim had refused to undergo medical examination.

Learned counsel appearing on behalf of the de facto complainant opposes the prayer for anticipatory bail. He submits that the accused are threatening the victim.

Considering the above, the other materials available in the case diary, the fact that the victim had refused to undergo medical examination and the fact that a substantially similarly circumstanced co-accused had been granted anticipatory bail and the fact that charge sheet has already been submitted, I am inclined to grant anticipatory bail to the petitioner. However, the movement of the petitioner needs to remain restricted for a limited period.

Accordingly, 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 Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioner shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and 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 the petitioner shall stay outside the jurisdiction of Chandrakona Police Station for a period of two months except for the purpose of attending the jurisdictional Court or for meeting the Investigating Officer.

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

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.)