

24.02.2026
Sl. No.22
Ct. 28
NB

C.R.M (A) 349 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 Dewandighi PS Case No.128/2025 dated 15.07.2025 under Sections 105/3(5) of the BNS, 2023.

And

In the matter of: Rajkumar Sharma ... petitioner

Mr. Mahammad Mahmud.
...for the petitioner.

Ms. Sayanti Santra,
Ms. Sonali Bhar.
...for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. There is a delay of about 28 days in lodging the FIR. Charge sheet has been submitted. The petitioner is only the owner of the mike/music system in question. It is alleged that during a puja, the victim became tired after dancing and upon touching the trolley on which the mike/music system was kept, and got electrocuted.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. However, he submits that mike/music box could not be seized as the incident had occurred 28 days before lodging of the FIR.

Considering the above and the other materials available in the case diary, the alleged role ascribed to the present petitioner and the fact that charge sheet has already been submitted, I am inclined to grant anticipatory bail to the present petitioner.

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.

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

The presence of the Investigating Officer is noted and is dispensed with.

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.)