

13.02.2026
Sl. No.50
NB

CRM (A) 377 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 Tehatta PS Case No.700/2025 dated 6.9.2025 under Sections 103(2)/109/118(2)/190/191(3)/3(5)/326(g)/329(4) of the BNS, 2023.

And

In the matter of: Kamona @ Bidyut Mondal & Ors.

... petitioners

Mr. Debabrata Ray,
Ms. Karabi Roy,
Ms. Sarbani Mukherjee.
...for the petitioners.

Mr. Sandip Chakraborty,
Ms. Sreetama Das.
..for the State.

Learned counsel appearing on behalf of the petitioners submits that a minor boy was kidnapped and his dead body was found from a pond. Thereafter, there was a mob fury. The villagers attacked the nearby house. Two persons were killed, several other persons were injured and properties damaged. The petitioners were not named in the FIR. They have been implicated in the charge sheet.

Learned counsel appearing on behalf of the State strongly opposes the prayer for anticipatory bail. He relies on the postmortem report of the victim/deceased, the statements of witnesses including the ones which were recorded before a learned Magistrate. He submits that in several such statements, the names of the petitioners have been specifically mentioned as the assailants. In fact, the petitioners' stand on the same footing as one "*Bullet Mandal @ Debasish Mandal*" whose application for anticipatory bail was turned down by this Court on 22.01.2026 in *CRM (A) 2 of 2026*.

Considering the above, the other incriminating materials available in the case diary and the fact that a substantial similarly circumstanced co-accused was denied the benefit of anticipatory bail, I do not consider this to be a fit case for granting anticipatory bail.

The application for anticipatory bail is, thus, rejected.

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.)