

25.02.2026
Court No.28
Item No.34
tbsr
Allowed

CRM (A) 420 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Daspur** P.S. Case No.**270 of 2025** dated **11.06.2025** under Sections **103(1)/61(2)(a)/3(5)** of the BNS, 2023.

And

In the matter of: **Pranab Kumar Jana & Anr.**

....Petitioners

Ms. Sonali Das
Mr. Ronit Naskar

....for the petitioners

Mr. Bitashok Banerjee
Mr. Protick Bose

....for the State

Learned counsel appearing on behalf of the petitioners submits as follows. The present petitioners were not named in the FIR lodged by the mother of the victim, who was also an alleged eye-witness to the incident. However, a charge sheet has been submitted also against the present petitioners.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statements of an eye-witness present at page 16 of the case diary taking the names of the petitioners as two of the assailants. However, there is no other statement of any witness where the names of the present petitioners appeared. According to the statement of a co-accused present at page 100 of the case diary, it appears that the alleged victim had entered into their house and was sexually harassing the two girls on 10.06.2025. He was in the habit of doing so. On the next day, in

retaliation, some local villagers attacked the victim and murdered him.

Considering the above, the other materials available in the case diary, the fact that the names of the petitioners appeared in the statements of one of several witnesses although the mother of the victim, who was also an eye-witness, did not name petitioners in the FIR, 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.

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

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)