

AD 24
February 27, 2026
Ct. 28
SG

Allowed

CRM(A) 392 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Bidhannagar East P.S. Case No.22 of 2025 dated 04.03.2025 under Sections 324(5)/334(1) of the BNS, 2023.

And

In the matter of: *Ashim Dey @Ashim Kumar Dey @Asim Kumar Dey*
... petitioner

Mr. Debasis Kar
... for the petitioner

Mr. Madhusudan Sur
Mr. Amanul Islam
... for the State

Mr. Santanu Talukdar
Mr. Akash Ganguly
... for the de facto complainant

Learned counsel for the petitioner submits that the petitioner is the landlord and the de facto complainant was the previous lease-holder for the premises in question. As the de facto complainant could not pay the lease rent, she locked the place and left. Thereafter, she approached the civil court, but injunction was refused. Earlier, a complaint case was filed against the petitioner and his family members. The petitioner obtained bail there. Now, an FIR was lodged with the similar allegation.

Learned counsel for the de facto complainant strongly opposes the prayer for anticipatory bail and submits that the petitioner along with his goons took forcible control of the

premises and is now using all the articles kept there, for his own business.

Learned counsel for the State opposes the prayer for anticipatory bail, relies on the statements of the de facto complainant and other witnesses and submits that further provision has been added to the array of charges during pendency of this application.

Considering the above, the other materials available in the case diary and the fact that the de facto complainant had also approached the civil court where an injunction was refused and there is a prior complaint case filed against him, I am inclined to grant anticipatory bail to the petitioner.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) 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 the further conditions that the petitioner shall cooperate with the investigation, shall meet the investigating officer once a week till submission of report in final form, shall surrender before the learned jurisdictional court and pray for bail within four weeks from this date and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)