

AD 25
February 26, 2026
Ct. 28
SG

Partly Allowed

CRM(A) 495 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Garhbeta P.S. Case No.04 of 2026 dated 03.01.2026 under Sections 329(3)/109/115(2)/117(2)/351(2)/3(5) of the BNS, 2023.

And

In the matter of:

Haladhar Sardar and another

... petitioners

Mr. Amit Ranjan Pati
Mr. Sunayan Ghosh
Ms. Swastika Chowdhury
Ms. Ilika Nag
Mr. Avijit Chatterjee

... for the petitioners

Mr. Soumyo Basu Roy Chowdhury
Mr. Prasun Dutta

... for the State

Ms. Pinki Chakraborty

... for the de facto complainant

Heard learned counsels for the parties.

The prosecution case is that a grievous injury was inflicted on the victim. He suffered fracture of the left elbow. Although the victim and the local witnesses have implicated all the accused in the same breath, it was stated in the FIR lodged by the victim that the particular blow was given by the petitioner No.1.

Considering the above and the other materials available in the case diary, while I am inclined to grant anticipatory bail to the petitioner No.2, the application for anticipatory bail of the petitioner No.1 (Haladhar Sardar) is rejected.

In the event of arrest, the petitioner No.2 (Laxmikanta Saha) shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) 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 No. 2 shall cooperate with the investigation, shall meet the investigating officer once a week till submission of report in final form and shall not threaten or intimidate witnesses.

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

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

(Jay Sengupta, J.)