

11.03.2026
Court No.28
Item No.32
ssi

CRM (A) 561 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Berhampore Police Station Case No. **296 of 2024** dated **28.02.2024** under Sections **489B/489C/34** of the Indian Penal Code read with Section 25 (1AA) of Arms Act.

And

In the matter of: **Hiru Halder.**

.... Petitioner

Mr. Soumyajit Das Mahapatra
Mr. Ali Ahsan Alamgir
Ms. Soma Mal
Ms. June Modak
Mr. Madhurai Sinha
Ms. Upasana Banerjee

...for the petitioner

Mr. Sanjoy Banerjee
Ms. Sima Biswas

..for the State

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is a local leader of the Indian National Congress. He is the opposition leader in the Berhampore Municipality. Whenever elections come, a number of cases are initiated against the petitioner by the ruling political dispensation. The present case is also an example of the same.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He refers to the statements of the two laborers present at pages 93 and 94 of the case diary and the other materials available in the case diary.

It appears from such statements that the witnesses had seen another accused carry a firearm. When asked, the said other accused stated that he had obtained the firearm from the present petitioner.

Therefore, other than the statement of a co-accused allegedly made to another witness, there is no other material available against the petitioner in the case diary.

Considering the above and the fact that charge sheet has been submitted, 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/- 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 conditions that the petitioner 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 petitioner shall not threaten or intimidate the witnesses.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)