

06.03.2026
Court No.28
Item No. 43
tbsr
Allowed

CRM (A) 578 of 2026

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure/under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Mothabari** P.S. Case No.**31 of 2026** dated **11.01.2026** under Sections **329(3)/324(4)/115(2)/110/3(5)B** of the BNS, 2023.

And

In the matter of: Ram Krishna Ghosh & Ors.

....Petitioners.

Mr. Balaram Patra,
Mr. Suvadip Bhattacharjee

...for the petitioners

Mr. Binoy Kumar Panda,
Mr. Parvej Anam

... for the State

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the owners of the land in question. The de facto complainant being politically influential wanted to grab the property. This led to a ruckus.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statements of witnesses. However, he submits that there is no injury report present in the case diary.

Considering the above and the other materials available in the case diary, I do not think that custodial interrogation of the petitioners is required in this case and 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 cooperate with investigation, shall meet the I.O. as and when required and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

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.)