

07/04/2026
D/L – 63
Court No.28
S. Kundu
Allowed

C.R.M.(A) 659 of 2026

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Deganga P.S case no. 7 of 2026 dated 05/01/2026 under Sections 329(3)/118(2)/109/3(5) of the BNS.

In the matter of: Lal Mahammad Gain

...Petitioner.

Ms. Anita Kaunda
Mr. Anubrata Dutta

...for the petitioner.

Mr. Biswajit Manna

...for the de-facto complainant.

Ms. Rituparna De Ghosh
Ms. Puja Goswami

...for the NCB.

1. Learned counsel appearing on behalf of the petitioner submits that the petitioner has been falsely implicated in this case. The petitioner is not the principal accused in this case.
2. Learned counsel appearing on behalf of the de-facto complainant strongly opposes the prayer for anticipatory bail.
3. Learned counsel appearing for the State relies on the case diary and opposes the prayer for anticipatory bail. She refers to the injury report, which shows grievous injury being a scalp fracture. Although some witnesses named the petitioner as one of the assailants, the victim in a statement made before the police specifically named two other persons as the assailants.

4. Considering the above, the other materials available in the case diary and the alleged role ascribed to the petitioner, although I am inclined to grant anticipatory bail to the petitioner, his movement shall remain restricted for a limited period.
5. In the event of arrest, the petitioner 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 further conditions that the petitioner shall not threaten or intimidate the witnesses. The petitioner shall surrender before the learned jurisdictional Court and pray for bail within four weeks from date and regularly attend the jurisdictional Court. The petitioner shall stay outside the jurisdiction of Deganga Police Station for a period of two months from date except for meeting the I.O or attending the jurisdictional Court.
6. Accordingly, the application for anticipatory bail is allowed.
7. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)