

07/04/2026
D/L – 65
Court No.28
S. Kundu
Allowed

C.R.M.(A) 685 of 2026

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Daspur P.S case no. 270 of 2025 dated 11/06/2025 under Sections 103(1)/61(2)(a)/3(5) of the BNS.

In the matter of: Debabrata Jana

...Petitioner.

Mr. Satadru Lahiri
Mr. T. N. Sarkar

...for the petitioner.

Ms. Amrita Gour
Mr. Ashok Das

...for the State.

1. Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner was not named in the FIR lodged by the mother of the victim who was also an eye-witness of the incident. However, charge sheet has been submitted also against the petitioner. Similarly circumstanced co-accused were granted anticipatory bail by this Court on 25/02/2026 in CRM (A) 420 of 2026.
2. Learned counsel appearing for the State opposes the prayer for anticipatory bail. He relies on the statements of an eye-witness present at page 16 of the case diary taking the name of the petitioner as one of the assailants. However, there is no other statement of any witness where the name of the present petitioner appeared. According to the statement of a co-accused present at page 100 of the case diary, it appears that the alleged victim had entered into their house and sexually

harassed two girls on 10/06/2025. He was in the habit of doing so. On the next day, in retaliation, some local villagers attacked the victim and murdered him.

3. Considering the above, the other materials available in the case diary and the fact that name of the petitioner appeared in the statement of one of several witnesses, although the mother of the victim who was also an eye-witness did not name in the FIR and that substantially similarly circumstanced co-accused were granted anticipatory bail by this Court earlier, I am inclined to grant anticipatory bail to the petitioner.
4. 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.
5. Accordingly, the application for anticipatory bail is allowed.
6. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)