

10.04.2026
Sl. No.48
Ct. 28
NB

C.R.M (A) 786 of 2026

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Nabadwip PS Case No.35/2026 dated 25.01.2026 under Sections 126(2)/115(2)/117(2)/118(2)/109/3(5) of the BNS, 2023.

And

In the matter of: Dhretinath Sarkar & Anr.

... petitioners

Mr. Sumanta Das

...for the petitioners.

Ms. Sukanya Bhattacharya..

...for the State.

Learned counsel appearing on behalf of the petitioners submits as follows. There was a scuffle between two groups of co-villagers. There were grievous injuries suffered by the petitioners. In fact, the nasal bone of the petitioner no.2 was fractured. There are case and counter case.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the injury reports of the victims, and the statements of the victims and the other eye-witnesses. While one of the victims suffered a fracture in the elbow, the other one received cut injury on scalp that required seven stitches for repair.

Considering the above, the other materials available in the case diary and the fact that the petitioner no.2 is aged about 60 years and he also suffered a nasal bone fracture, while I am inclined to grant anticipatory bail to the petitioner no.2 (Subhash

Chandra Sarkar), the application for anticipatory bail of the petitioner no.1 is rejected.

Accordingly, in the event of arrest, the petitioner no.2 (Subhash Chandra Sarkar) 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 Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioner no.2 shall cooperate with the investigation and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever.

The application for anticipatory bail is partly allowed and, thus, disposed of.

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.)