

21.04.2026
Court No.28
Item No.62
ssi

CRM (A) 791 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Kalyani Police Station Case No. 1298 of 2025 dated 30.12.2025 under Sections 336(2)/337/338/340(2)/ 3 (5) of the BNS 2023 read with Section 21 of the Immigration & Foreigners Act.

And

In the matter of: **Bijoy Baral.**

.... Petitioner

Mr. Shibaji Kr. Das
Ms. Deblina De

...for the petitioner

Ms. Sonali Das
Mr. Dattatreya Dutta

..for the State

Learned counsel appearing on behalf of the petitioner submits that other than the statements of the co-accused, there is no other incriminating material available against the present petitioner. Charge sheet has already been submitted.

Learned counsel appearing on behalf of the State relies on the statements of witnesses and the other documents available in the case diary. He submits that other than the statements of the two co-accused, there is no other incriminating material available in the case diary against the present petitioner. The residence and shop of the petitioner were raided. However, the shop was found to be closed.

It is surprising that, if a shop or residence of the accused was found to be closed, the Investigating Officer did not take further steps to search the said premises and instead proceeded to file a charge sheet without exploring whether any incriminating material available could be found in the said shop or not.

However, considering the materials available in the case diary and the fact that charge sheet has already 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.

The application for anticipatory bail is, thus, disposed of.

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

(Jay Sengupta, J.)