

12.05.2026
Sl. No.59
Ct. 28
NB

C.R.M (A) 798 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 Keshpur PS Case No.360/2025 dated 30.07.2025 under Sections 329(4)/64 of the Bharatiya Nyay Sanhita, 2023.

And

In the matter of: Asish Karan @ Asis Karan ... petitioner

Mr. Amit Ranjan Pati,
Ms. Swastika Chowdhury,
Ms. K. Kubra,
Mr. Avijit Chatterjee.
...for the petitioner.

Mr. Krishnendu Bhattacharya,
Mr. Somnath Adhikary.
..... Amicus.

Affidavit of service filed on behalf of the petitioner is taken on record and kept in a sealed cover.

Despite service, no one appears on behalf of the de facto complainant.

Learned counsel appearing on behalf of the petitioner submits as follows. Earlier, the son of the present de facto complainant had assaulted the petitioner's wife. An FIR was lodged on 30.05.2025 in this regard. As a counterblast, the present FIR has been lodged on 30.07.2025 showing the date of occurrence as 20.06.2025.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statement of the 40 year old victim recorded before the learned Magistrate as also on the statements of witnesses including that of his son who

was the only available post occurrence witness. He also relies on the medical report.

Considering the above, the other materials available in the case diary and the fact that there was an earlier case started against the de facto complainant's son for an alleged assault committed upon the petitioner's wife, I do not think that custodial interrogation of the petitioner is required in this case and I am inclined to grant anticipatory bail to the petitioner.

Accordingly, 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 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 shall cooperate with the investigation and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and the petitioners shall meet the Investigating Officer once a week till submission of report in final form.

The application for anticipatory bail is, 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.)