

09.04.2026
Court No.28
Item No.82
tbsr
Allowed

CRM (A) 807 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Khanakul** P.S. Case No. **828 of 2025** dated **29.12.2025** under Sections **115(2) / 117(2) / 3(5) / 303(2) / 324(2) / 329(4) / 351(3) / 352 / 76 / 79** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Sk. Jiyabul Ali @ Sk. Jiyabul Rahaman & Anr.

....Petitioners.

Mr. Samrat Choudhury
Ms. Richa Pramanik
Mr. A. Sahani

....for the petitioners

Ms. Sreyashee Biswas
Mr. Aritra Battacharya

....for the State

Learned counsel appearing on behalf of the petitioners submits as follows. There is a dispute between the private parties over a mutation proceeding. Earlier, the father of the petitioners had lodged a complaint. The present case is a counter-blast to the said complaint. Two other co-accused were granted anticipatory bail by the learned Sessions Court.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statements of witnesses and the injury report which, however, does not show infliction of any grievous injury.

Considering the above, the other materials available in the case diary and that fact that there are allegations and counter allegations, I do not think that custodial interrogation of the petitioners is

required in this case and I am inclined to grant anticipatory bail to the petitioners.

In the event of arrest, the petitioners 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 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 condition that the petitioners shall cooperate with investigation, shall meet the I.O. once a fortnight till submission of report in final form and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)