

10/04/2026
D/L – 59
Court No.28
S. Kundu
Partly Allowed

C.R.M.(A) 823 of 2026

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Khayrasole P.S case no. 193 of 2025 dated 04/11/2025 under sections 329(4)/117(2)/118(2)/109 of the BNS.

In the matter of: Debasis Das & Anr.

...Petitioners.

Mr. Kunal Ganguly

...for the petitioners.

Ms. Baisali Basu

Mr. Sandip Kundu

...for the State.

1. Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners have been falsely implicated in this case. He further submits that by an order dated 03/02/2026 in CRM (A) 157 of 2026 this Court was pleased to allow the application for anticipatory bail of one of the accused while rejecting the prayer for the others. The petitioners stand on the same footing as the one whose application was allowed.
2. Learned counsel appearing on behalf of the State strongly opposes the prayer for anticipator bail. She refers to the injury report, the FIR and the statements of witnesses. As per the FIR, the injury inflicted was recorded to be grievous. As per the FIR, the prime allegation is against the petitioner no. 1.

3. Considering the above, the other materials available in the case dairy and the alleged roles ascribed to each of the petitioners, while I am inclined to grant anticipatory bail to the petitioner no. 2 (Samir Das), the application for anticipatory bail of the petitioner no. 1 is rejected.
4. In the event of arrest, the petitioner no. 2 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 said petitioner shall not threaten or intimidate the witnesses. The said 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-in-part.
6. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)