

01/04/2026
D/L - 4
Court No.28
S. Kundu
Allowed

C.R.M.(A) 879 of 2026

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Berhampore P.S case no. 221 of 2024 dated 13/02/2024 under sections 447/448/427/436/34/120B of the IPC read with Sections 3 and 4 of the Prevention of Damage to Public Property Act.

In the matter of: Hiru Halder

...Petitioner.

Mr. S. D. Mahapatra
Mr. Ali Ahsan Alamgir
Ms. Rabia Khatoon
Ms. S. Mal
Ms. J. Modak

...for the petitioner.

Mr. Sanjay Bardhan
Mr. Dipankar Paramanick

...for the State.

1. Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is a leader of the Indian National Congress. He is a candidate of the said party in the ensuing Assembly Election. Because of the political allegiance to an opposition party, he has been falsely implicated a number of criminal cases including the present one. In the list of eleven criminal cases against him, mostly before some or other elections, the petitioner is either on bail or has been acquitted. In the present case that was started in 2024 the allegation is that the petitioner and others had set fire in a dumping ground of the Municipality.

2. Learned counsel appearing on behalf of the State strongly opposes the prayer for anticipatory bail. He submits that the Municipality had kept important documents in the dumping ground. The petitioner and others came there and set fire on important articles kept there. Two fire engines had to be called to put off the fire.
3. The seizure list shows seizure of burnt pieces of bamboo, some ash, some burnt materials which appear to be paper and some burnt tarpaulin.
4. Considering the above, the other materials available in the case diary and the fact that the petitioner was either acquitted in the earlier cases or is on bail in the same, I am inclined to grant anticipatory bail to the petitioner.
5. In the event of arrest, the petitioner 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 petitioner shall cooperate with the investigation and shall not threaten or intimidate the witnesses. The petitioner shall meet the I.O as and when required.
6. Accordingly, the application for anticipatory bail is allowed.
7. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)