

AD 18
April 9, 2026
Ct. 28
SG

Allowed

CRM(A) 1065 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Haringhata P.S. Case No.74 of 2026 dated 01.02.2026 under Sections 329(3)/115(2)/117(2)/109/74/351(2) & 3(5) of the BNS, 2023.

And

In the matter of: Swapan Das and another

... *petitioners*

Mr. Sumanta Das

... for the petitioners

Mr. Anwar Hossain

Ms. Ankita Paul

... for the State

Mr. Shibaji Kumar Das

Mr. Dipendu Sarkar

Ms. Deblina De

... for the de facto complainant

Learned counsel for the petitioners submits that the de facto complainant is a highly influential person and he was trying to grab the property of the petitioners. A scuffle took place between adverse sides, but none of the injuries were grievous in nature. There are case and counter case.

Learned counsel for the de facto complainant opposes the prayer for anticipatory bail and submits that serious injuries were inflicted on the victim and a lady was molested.

Learned counsel for the State opposes the prayer for anticipatory bail and relies on the statements of witnesses, including neighbours and the injury report.

Considering the above, the other materials available in the case diary and the fact that the injury report does not show infliction of any grievous injury and that there are case and counter case, 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/- (rupees ten thousand) 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 the further conditions that the petitioners shall cooperate with the investigation, shall meet the investigating officer once a week 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, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)