

AD 45
April 27, 2026
Ct. 28
SG

Allowed

CRM(A) 1123 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Samsherganj P.S. Case No.36 of 2026 dated 19.01.2026 under Sections 64/351(2) of the BNS, 2023.

And

In the matter of: Surjya Mal @ Surya Mal

... petitioner

Mr. Tapodip Gupta

... for the petitioner

Ms. Z.N. Khan

Mr. Mujibar Ali Naskar

... for the State

Report filed by the State is taken on record.

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

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. There is a delay of about one month in lodging the FIR.

Learned counsel for the State opposes the prayer for anticipatory bail and relies on the statement of the alleged victim recorded before the learned Magistrate, the medico legal examination report and the statements of witnesses. He also relies on the call detail records showing the tower location of the mobile phone at the relevant time in Tamil Nadu. Charge-sheet has been submitted.

Considering the above, the other materials available in the case diary and the fact that charge-sheet has already been submitted, I am inclined to grant anticipatory bail to the petitioner.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) 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 petitioner shall surrender before the jurisdictional court within four weeks from this date and pray for bail, shall attend the jurisdictional court regularly 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.)