

AD 25
April 10, 2026
Ct. 28
SG

Allowed

CRM(A) 1108 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Gangnapur P.S. Case No.369 of 2025 dated 01.11.2025 under Sections 126(2)/115(2)/118(1)/118(2)/109(1)/351(2)/3(5) of the BNS, 2023.

And

In the matter of: *Kabir Mondal @ Kabir Mandal* ... *petitioner*

Ms. Subhasree Patel
Ms. Kathika Mandal

... for the petitioner

Md. Anwar Hossain
Ms. Manashi Roy

... for the State

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. He is not even the principal accused. The principal accused was arrested and thereafter granted bail. In the FIR, the only allegation against the petitioner is that the petitioner had initiated an altercation, but the other co-accused specifically committed the acts of assault.

Learned counsel for the State opposes the prayer for anticipatory bail and submits that a very serious injury was inflicted on the neck of the victim. He relies on the medical papers and the statements of witnesses including that of the victim. A finger of a lady victim was practically detached from the hand.

Considering the above, the other materials available in the case diary, the alleged role ascribed to the present petitioner and the fact that the principal accused was arrested and was thereafter granted bail, although I am inclined to grant anticipatory bail to the petitioner, his movement shall remain restricted for a limited period.

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 cooperate with the investigation, shall meet the investigating officer once a week till submission of report in final form, shall stay outside the jurisdiction of Gangnapur Police Station for a period of six months except for attending the jurisdictional court or meeting the investigating officer 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.)