

16.04.2026  
Sl. No.35  
Ct. 28  
NB

**C.R.M (A) 1128 of 2026**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Joypur PS Case No.74/2026 dated 10.03.2026 under Sections 126(2)/115(2)/117(2)/109(1)/74/351(3)/3(5) of the BNS, 2023.

And

In the matter of: Arup Khan

... petitioner

Mr. Samiran Mandal,  
Mr. Nitish Samanta,  
Ms. Agniva Mandal,  
Ms. Shreyashee Mitra.

...for the petitioner.

Ms. Manisha Sharma,  
Ms. Trisha Rakshit.

...for the State.

Mr. Malay Bhattacharyya

...for the de facto complainant.

Learned counsel appearing on behalf of the petitioner submits as follows. There was a dispute between two families, which resulted in the present incident. He further submits that the injury caused was not grievous in nature.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail. She submits that an aged man, suffering from cancer was assaulted.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statements of the witnesses including the victim and the injury report, which, however, does not show infliction of any grievous injury.

In view of the above and the other materials available in the case diary although I am inclined to grant anticipatory bail to the petitioner, his movement shall remain restricted for a limited period.

Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioner shall cooperate with the investigation and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and the petitioner shall meet the Investigating Officer once a fortnight till submission of report in final form and shall remain outside the jurisdiction of Joypur Police Station for a period of two months except for meeting the Investigating Officer or attending the jurisdictional Court or casting vote in the ensuing Assembly Elections.

The application for anticipatory bail is, thus, disposed of.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

**(Jay Sengupta, J.)**