

22.04.2026
Court No.28
Item No.19
tbsr
Allowed

CRM (A) 1181 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Krishnaganj** P.S. Case No.**398 of 2025** dated **23.09.2025** under Section **103/238/3(5)** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Soubhik Baidya & Ors.

....Petitioners.

Mr. Prabir Majumder
Mr. Snehansu Majumder
Mr. Debraj Shil
Ms. Sangeeta Chakraborty
Ms. Anindita Kundu
...for the petitioner.

Mr. B. K. Roy
Mr. Kunal Ganguly
....for the State

Learned counsel appearing on behalf of the petitioners submits as follows. On 22.09.2025 the petitioners and the alleged victim were playing cards. They heard that a dacoity had been committed nearby and that the police were raiding the place. This prompted some of them to jump into nearby ponds. While others managed came out, the victim could not. A co-accused was arrested and was thereafter granted bail by this Court.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He refers to the post mortem report and the doctor's opinion. He also refers to the statements of witnesses. According to the doctor, bleeding from the nose was an after effect of drowning. There is no other external injury on the dead body.

Considering the above and the other materials available in the case diary, 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/- 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 further condition that the petitioners shall cooperate with investigation, shall meet the I.O. 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 may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)