

28.04.2026
Court No.28
Item No.14
tbsr
Partly Allow

CRM (A) 1199 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Kaliachak** P.S. Case No. **1305 of 2025** dated **21.07.2025** under Sections **126(2)/137(2)/140(2)/140(3)/115(2)/117(2)/351(2)/3(5)** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Jharuya Poddar @ Jharwa Sk. & Anr.

....Petitioners.

Mr. Avik Ghosh
...for the petitioners.

Mr. Debabrata Chatterjee
Mr. Ratul Ghosh
....for the State.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioner no. 1 is 81 years old. An absurd allegation has been levelled that the petitioner no. 1 and his son, the petitioner no. 2, abducted the husband of the de facto complainant and demanded money. When the neighbours went to rescue him, they were also allegedly abducted and beaten up.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statement of the victim, the other witnesses and the injury reports, which show abrasions on the neck. However, there are recovery memos showing recovery of the victims.

Considering the above, the other materials available in the case diary and the advanced age of the petitioner no. 1, although I am inclined to grant anticipatory bail to the petitioner no. 1, the

application for anticipatory bail of the petitioner no. 2 (Md. Sejaul Hoque @ Sejaul Sk.) is rejected.

In the event of arrest, the petitioner no. 1 (Jharuya Poddar @ Jharwa Sk.) 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 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 petitioner No. 1 shall cooperate with investigation, meet the I.O. as and when required and shall not threaten or intimidate witnesses.

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.)