

27.04.2026
Court No.28
Item No.69
tbsr
Allowed

CRM (A) 1203 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Nabadwip** P.S. Case No. **76 of 2026** dated **20.02.2026** under Sections **121(1)/223/3(5)/351(2)** of the BNS, 2023.

And

In the matter of: Shankar Roy Karmakar

....Petitioner.

Mr. Kallol Mondal, Sr. Adv.
Mr. Krishan Ray
Mr. Sreyash Kumar Singh
Ms. Moupia Chakraborty
...for the petitioner.

Mr. Partha Pratim Das
Mr. Saptarshi Chakraborty
....for the State.

Learned senior counsel appearing on behalf of the petitioner submits as follows. The petitioner is a septuagenarian. He purchased an old building in the year 2015. This old building had been constructed in 1930. Thereafter the Chairman of the Municipality wanted to purchase the said building. The petitioner refused. Subsequently, a notice was issued to provide the sanction plan of the building. The petitioner challenged this before the High Court. The High Court directed a hearing. Pursuant thereto, the Municipality decided to inspect the building and issued a notice for inspection at 2 p.m. on a particular day. However, the Officers came at the place only at 5.15 p.m., after the petitioner's lawyer had already left. The petitioner's agent requested to reschedule the inspection. Thereafter, the petitioner, through his lawyer, sent a representation to the Chairman of the Municipality in this regard. As a counter blast, the present FIR has been lodged alleging refusal to allow inspection and assaulting the public servant. There is a video

footage available with the petitioner which would clearly show what had happened.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statements of witnesses. However, he submits that there is no injury report present in the case diary.

Considering the above and the other materials available in the case diary, I do not think that custodial interrogation of the petitioner is required in this case and 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/- 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 shall cooperate with investigation, shall not threaten or intimidate witnesses and shall meet the I.O. once a fortnight till submission of report in final form.

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.)