

05.05.2026
Sl. No.49
Ct. 28
NB

C.R.M (A) 1266 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 Sagarpara PS FIR Case No.69/2026 dated 26.01.2026 under Sections 109/115(2)/117(2)/118(2)/126(2)/223/351(2)/3(5) of the BNS, 2023.

And

In the matter of: Titu Sk. & Ors. ... petitioners

Mr. Jisan Iqbal Hossain.
...for the petitioners.

Mr. Subhasish Datta.
....for the State.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners had a property dispute with the de facto complainant. It is alleged that the injunction order was violated by the petitioners. A scuffle took place. There were case and counter case. But, none of the injuries suffered were grievous in nature. Charge sheet has been submitted.

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

Considering the above, the other materials available in the case diary and the fact that charge sheet has already been submitted, although I am inclined to grant anticipatory bail to the present petitioners, their movement shall remain restricted for a limited period.

Accordingly, 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 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 petitioners shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date and shall stay outside the jurisdiction of Sagarpara Police Station for a period of two months from this date except for meeting the Investigating Officer or attending the jurisdictional Court.

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.)