

14.05.2026
Sl. No.44
Ct. 28
NB

C.R.M (A) 1334 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 Parnasree PS Case No.241/2026 dated 30.04.2026 under Sections 57/126(2)/115(2)/118(1)/109/130/171/351(1)/351(2) of the Bharatiya Nyay Sanhita, 2023.

And

In the matter of: Mainak Chatterjee & Ors. ... petitioners

Mr. Moyukh Mukherjee,
Mr. Koustav Lal Mukherjee,
Ms. Sarmistha Basak.
...for the petitioners.

Mr. Krishnendu Bhattacharya,
..... Amicus.

Memo of Evidence filed by the Amicus is taken on record.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners have been falsely implicated due to political reasons. There was a scuffle between two groups of people belonging to different political parties immediately after the polls. Actually, the petitioners were at the receiving end. The other side was trying to take away the EVM machine. As a result, the petitioners lodged an FIR. As a counterblast, the present FIR was registered against them.

Learned Amicus assisting the State relies on the case diary and 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. Most of them referred to

assault resulting in pain and abrasion. The principal accused was arrested and was thereafter granted bail.

Considering the above, the other materials available in the case diary and the fact that there are case and counter case, 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.

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 as and when required.

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.)