

13.05.2026
Court No.28
Item No.44
tbsr
Partly Allow

CRM (A) 1358 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Habibpur** P.S. Case No.**36 of 2026** dated **07.02.2026** under Sections **329(3)/117(2)/351(3)/3(5)** subsequently under Section 118(2) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Makham Kisku @ Makhan Soren & Ors.

....Petitioners.

Mr. Tapan Dutta Gupta
Mr. Parvej Anam
Ms. Rituparna Ghosh
Mr. Sourav Sardar
Ms. Afsona Khatun

...for the petitioners.

Mr. Krishnendu Bhattacharya
Mr. Tapodip Gupta

.....for the State.

Learned counsel appearing on behalf of the petitioners submits as follows. There was a dispute between family members. The petitioners have been falsely implicated in this case.

Learned Amicus assisting the State relies on the case diary and opposes the prayer for anticipatory bail. He relies on the injury reports of the aged lady, which show fracture of the right arm and a lacerated injury inflicted on the forehead. The statement of victim and the statements of other local witnesses implicate all the petitioners.

Considering the above and the other materials available in the case diary and the fact that the petitioner nos. 4, 5 and 6 are the female members of the household, while I am inclined to grant anticipatory bail to the petitioner nos. 4, 5 and 6, the application for

anticipatory bail of the petitioner nos. 1 (Makham Kisku @ Makhan Soren), 2 (Madan Kisku) and 3 (Ashim Kisku) is rejected.

In the event of arrest, the petitioner nos. 4, 5 and 6 (Bahamani Kisku, Somani @ Sonali Hansda and Dulari @ Dulariya Hansda) 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 Nos. 4, 5 and 6 shall cooperate with investigation 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.)