

AD 55
May 12, 2026
Ct. 28
SG

Partly Allowed

CRM(A) 1369 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Joynagar P.S. Case No.91 of 2026 dated 04.02.2026 under Sections 126(2)/115(2)/117(2)/110/351(2)/3(5) of the BNS, 2023.

And

In the matter of: *Erat Mondal @ Eradali Mondal and others*
... petitioners

Md. Shamimuddin

... for the petitioners

Mr. Krishnendu Bhattacharya

... for the State

Learned counsel for the petitioners submits that there was a scuffle between neighbours and family members. Both sides suffered injuries. None was grievous in nature.

Learned counsel for the State opposes the prayer for anticipatory bail and relies on the statements of witnesses including those of the victims and the two injury reports. One indicates a lacerated wound over a vital part of the body like the head and the other one indicates an incised wound over the left side of the back scapula region. He submits that both the injury reports specifically mention the names of the petitioner Nos.2 and 4 as the assailants along with unknown others.

Considering the above, the other materials available in the case diary and the alleged role ascribed to each of the present petitioners, while I am inclined to grant anticipatory

bail to the petitioner Nos.1 and 3, the application for anticipatory bail of the petitioner Nos.2 and 4 (Halim Mondal @ Safikul Mondal and Motibul Mondal) is rejected.

In the event of arrest, the petitioner Nos.1 and 3 (Erat Mondal @ Eradali Mondal and Hakim Mondal) shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) each 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 the further conditions that the petitioner Nos.1 and 3 shall cooperate with the investigation, shall meet the investigating officer once a week till submission of report in final form and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, disposed of.

Personal appearance of the investigating officer is noted and is dispensed with.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)

