

AD 54
June 9, 2026
Ct. 28
SG

Allowed

CRM(A) 1436 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Parnasree P.S. Case No.254 of 2026 dated 05.05.2026 under Sections 126(2)/115(2)/74/79/303(2)/351(2)/54 of the BNS, 2023.

And

In the matter of: Nandan Mal and others ... *petitioners*

Mr. Moyukh Mukherjee
Mr. Koustav Lal Mukherjee
Ms. Sagnika Banerjee
Ms. Sarmistha Basak

... for the petitioners

Mr. Krishendu Bhattacharya, Id. APP
Mr. Saswata Chatterjee

... for the State

Learned counsel for the petitioners submits that the incident in question happened on 04.05.2026 when the petitioners were watching news near a temple. They were attacked by some assailants. They lodged a criminal case. As a counter blast, the present FIR was registered. While the petitioners' FIR contains allegation of grievous hurt by dangerous weapon, the present case relates to the alleged theft and outraging modesty.

Learned Additional Public Prosecutor representing the State relies on the case diary and opposes the prayer for anticipatory bail. He also relies on the statement of the victim recorded before the learned Magistrate and the other statements of witnesses.

Considering the above, the other materials available in the case diary and the fact that there were case and counter case, the present one being the second case, although I am inclined to grant anticipatory bail to the petitioners, their movement shall remain restricted for a limited period.

In the event of arrest, the petitioners 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 petitioners shall cooperate with the investigation, shall meet the investigating officer once a week till submission of report in final form, shall stay outside the jurisdiction of Parnasree Police Station for a period of four months except for attending the jurisdictional court or meeting the investigating officer and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

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

(Jay Sengupta, J.)

