

15.06.2026
Court No.28
Item No.79
tbsr
Allowed

CRM (A) 1572 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Kotwali** P.S. Case No.**425 of 2025** dated **13.08.2025** under Sections **126(2)/115(2)/117(2)/109/74/303(2)/324(4)/351(2)/3(5)** of the BNS, 2023.

And

In the matter of: Md. Kamal Hasan Mondal @ Md. Kamal Hossain Mondal

....Petitioner.

Mr. Amit Ranjan Pati
Ms. Q. Chowdhury
Mr. Avijit Chatterjee
...for the petitioner.

Mr. Sayan Mukherjee
....for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The de facto complainant and her accomplices had trespassed into the petitioner's place and started cutting trees. This led to an altercation between the parties. The petitioner received serious injuries, including fracture injuries and injuries on vital parts of the body like the head. Earlier, this Court had rejected the anticipatory bail application of most of the assailants from the opposite side while granting anticipatory bail to the female accused and an elderly person. There are case and counter case.

Learned counsel appearing on behalf of the State relies on the case diary and opposes the prayer for anticipatory bail. He refers to the statements of the victims and other witnesses. He also refers to the injury reports, which, however, do not show infliction of any grievous injury.

Considering the above, the other materials available in the case diary, the alleged role ascribed to the present petitioner and the fact that charge sheet has already been submitted, while I am inclined to grant anticipatory bail to the petitioner, his movement shall be restricted for a limited period.

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 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 shall surrender before the learned jurisdictional Court within four weeks from this date and pray for bail and shall regularly attend the jurisdictional Court and shall not threaten or intimidate witnesses and shall stay outside the jurisdiction of Kotwali Police Station for a period of two months except for meeting the I.O. or attending the jurisdictional Court.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)