

22.06.2026
Sl. No.67
Ct. 28
NB

C.R.M (A) 1657 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 Baguiati PS Case No.288/2026 dated 31.05.2026 under Sections 109/115(2)/117(2)/118(1)/126(2)/3(5)/308(2)/308(3)/308(4)/324(4)/329(4)/336(3)/338/340(2)/351(2) of the BNS, 2023.

And

In the matter of: Prosenjit Nag ... petitioner

Mr. Sourav Chatterjee,
Mr. Soumya Nag.
...for the petitioner.

Mr. Brojesh Jha,
Mr. Mukesh Gupta.
...for the State.

Mr. Anirban Mondal,
Mr. Arindam Samanta.
...for the de facto complainant.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is an advocate practicing in the Barasat Court. He is also a councillor of the earlier ruling dispensation. The de facto complainant too belonged to the same political dispensation and only after the results of the last Assembly Elections were out, he tried to change colours. He took this opportunity to lodge the present FIR against the petitioner on 31.05.2026. The de facto complainant had also been facing criminal charges.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail. The petitioner has been using abusive language and threatening the de facto complainant.

Learned counsel appearing on behalf of the State relies on the case diary and opposes the prayer for anticipatory bail. He relies on the statements of witnesses. However, he submits that there is no receipt available regarding payment of any money. Nor is there any injury report present in the case diary.

Considering the above and the other materials available in the case diary, 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 once a week till submission of report in final form.

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.)