

19/01/2026  
D/L – 23-25  
Court No.28  
S. Kundu  
Partly Allowed

**C.R.M.(A) 3778 of 2025**

**With**

**C.R.M.(A) 4045 of 2025**

**With**

**C.R.M.(A) 4078 of 2025**

**In Re:** An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Marishda P.S case no. 307 of 2025 dated 6/8/2025 under sections 103(1)/3(5) of the BNS.

**In the matter of: Gautam Karan & Ors.**

**In the matter of: Sudarsan Jana @ Sudarshan Jana**

**In the matter of: Hansapada Jana & Ors.**

...Petitioners.

Ms. Jhuma Sen

Mr. Sumanta Ganguly

Mr. Yuvraj Chatterjee

...for the petitioners in item no. 23 and 25.

Mr. Sourav Chatterjee

Ms. Jhuma Sen

Mr. Sumanta Ganguly

Mr. Yuvraj Chatterjee

...for the petitioner in item no. 24.

Mr. Apalak Basu

Ms. Leena Panja

Ms. Sanghamitra Mridha

...for the de-facto complainant.

Mr. Suman De

Mr. Mujibar Ali Naskar

...for the State in item no. 23.

Mr. R.D. Nandy

Mr. Nirupam Dhali

...for the State in item no. 24.

Mr. Kaushik Kundu

Mr. Rahul Ganguly

...for the State in item no. 25.

1. Three applications for anticipatory bail being CRM (A) 3778 of 2025, CRM (A) 4045 of 2025 and CRM (A) 4078 of

2025 are taken up for hearing together since all are arising out of the same Police Station case.

2. Learned counsel appearing on behalf of the petitioners in CRM (A) 3778 of 2025 and CRM (A) 4078 of 2025 and the learned senior counsel appearing on behalf of the petitioner in CRM (A) 4045 of 2025 submit as follows. The petitioners have been falsely implicated in this case due to previous rivalry. There are as many as ten criminal cases pending between the private parties. There are civil litigations as well. In fact, the de-facto complainant was earlier charge-sheeted for committing molestation of the wife of one of the co-accused. Earlier, some of the other co-accused were granted anticipatory bail, while the prayer for anticipatory bail was rejected for few of the co-accused. The petitioners are in no way connected with the alleged offences. The *post-mortem* report also does not support the ocular version as given in the FIR.
3. Learned counsel appearing for the de-facto complainant strongly opposes the prayer for anticipatory bail. He refers to the portion of the *post-mortem* report which would make out a case of a blow on the head of the victim.
4. Learned counsel appearing for the State opposes the prayer for anticipatory bail. However, he submits that while the petitioners in CRM (A) 3778 of 2025 were

present at the place of occurrence along with the petitioner nos. 2 and 3 in CRM (A) 4078 of 2025, there were active roles played by the petitioners in CRM (A) 4045 of 2025 and the petitioner nos. 1 and 4 in CRM (A) 4078 of 2025.

5. It appears that the anticipatory bail application of two other co-accused who had played active role in the assault of the victim were denied the benefit of anticipatory bail, while some of the others standing on a different footing were granted anticipatory bail.
6. Considering the above and the other materials available in the case diary, the alleged roles ascribed to each of the present petitioners while I am inclined to grant anticipatory bail to the petitioner nos. 1, 2 and 3 in CRM (A) 3778 of 2025 (Gautam Karan), (Anup Jana), (Gurupada Adak) and in CRM (A) 4078 of 2025, the petitioner nos. 2 and 3 (Pintu Mandal), (Asrubindu Mandal) and the applications for anticipatory bail of the remaining petitioners are rejected.
7. In the event of arrest, the petitioner nos. 1, 2 and 3 in CRM (A) 3778 of 2025 and the petitioner nos. 2 and 3 in CRM (A) 4078 of 2025 shall be released on bail upon furnishing a bond of Rs.10,000/- 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 further conditions that the said petitioners shall

cooperate with the investigation and shall not threaten or intimidate witnesses. The said petitioners shall meet the Investigating Officer once a week till submission of report in final form.

8. Accordingly, the application for anticipatory bail is allowed-in-part.
9. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

**(Jay Sengupta, J.)**