13.11.2026
Court No.35.
D/L. 63.
Kausik
(Allowed)

CRM (A) 3861 of 2026

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973/Under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Amdanga Police Station Case No. 436 of 2026 dated 09.08.2026 under Sections 126(2)/115(2)/117(2)/118(2)/109/151(2)/3(5) of BNS, 2023.

And

In the matter of : Tripti Malakar & Ors.

.....Petitioners.

Mr. Shekhar Barman

.....for the Petitioners.

Mr. Angshuman Chakraborty
Mr. S.S. Saha

....for the Defacto Complainiant.

Mr. Rajendra Banerjee, Ld. APP
Mr. Snehasis Banerjee

....for the State.

Learned advocate appearing for the petitioners submits that petitioners are innocent and have been falsely implicated in connection with the instant case over previous civil disputes.

Learned advocate for the defacto complainant opposes the prayer for anticipatory bail particularly in view of the nature of injury sustained by the victim.

State opposes the prayer for anticipatory bail, draws the attention of the Court to the injury report as also the statement of the victim and the eye witnesses.

I have taken into account the overall materials. I find that overt acts were in respect of one Shibu Biswas who was arrested on 09.08.2026 and has been granted bail. Two of the other accused persons namely, Barun Malakar and Sanjay Biswas also released on bail after they were arrested.

So far as the present petitioners are concerned, no specific role has been attributed to them. Three of them are ladies and petitioner no. 4 is of tender age.

Having considered the overall circumstances of the case, the complicity of the present petitioner and the fact that persons who had over-reacted were initially arrested in connection with the instant case, I am of the opinion custodial detention of the present petitioners are unwarranted.

As such, prayer for anticipatory bail is allowed.

As such, I direct that in the event of arrest, the petitioners namely, (1) **Tripti Malakar**, (2) **Sima Biswas**, (3) **Babi Biswas @ Babi Biswas**, (4) **Biplab Biswas** be released on bail subject to the satisfaction of the investigating officer/arresting officer of the case and also subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and/or under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

As the investigation of the case is in progress petitioner no. 4 shall meet with the investigating officer of the case once a week till the report in final form is submitted.

Petitioner nos. 1 to 3 would make themselves available as and when called for by the investigating officer.

With the aforesaid observations CRM (A) 3861 of 2026 is **allowed**.

Memo of Evidence submitted be kept with the record.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

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

(Tirthankar Ghosh, J.)