4. **28.10.2026**
(D/L) **CT. NO. 07**
(SWARUP-A.R.CT.)

(ALLOWED)

In The High Court at Calcutta

CRIMINAL MISCELLANEOUS JURISDICTION
(Appellate Side)

C.R.M. (A) 3896 OF 2026

In Re: An application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with P.T.N Case No. of 2306 of 2026 connected to Ketugram Police Station Case No.591 of 2026 dated 27.09.2026 under Sections 329(4)/309(4)/324(4) /117(2)/118(2)/109(1)/76/308(5)/3(5) of the BNS, 2023 and Sections 25(1-B)(a)/27 of the Arms Act, 1959;

And

In Re: **ATUL BAURI & ANR.**

... Petitioner

Mr. Soham De Dhara, Adv.

...For Petitioner

Mr. Rajdeep Biswas, Adv.
Mr. Debayan Ghosh, Adv.

...For State

On the prayer of the learned Advocate for the petitioner leave is granted to the learned Advocate appearing for the petitioner to correct the typographical errors in the cause title as well as in the prayer portion of the application for anticipatory bail in the course of the day.

The petitioner is apprehending arrest on the basis of a complaint alleged to have been lodged on 27th September, 2026 at 20.35 hours at Ketugram Police Station. Learned Advocate appearing for the petitioner as per the complaint the alleged incident took place during the last assembly election of the State of West Bengal which took place sometimes in the year 2021. He further submits that on an incident which alleged to have taken place way back in the year 2021, complaint has been lodged sometimes

in the month of September, 2026. He thus submits that the complaint is a frivolous one.

Mr. Biswas, learned Advocate appearing for the State seriously opposes the prayer for anticipatory bail. He files the memo of evidence in support of his contention that the petitioner being the men and agent of a rival political party, threatened the complainants and severely assaulted the complainant and the family members and also set fire to the house and other articles belonging to the complainant. It is submitted by the learned Advocate that in the complaint there is an allegation of outraging the modesty of the wife of the complainant.

After going through the statement of the complainant and his wife recorded under Section 183 of BNSS it appears to this Court that the alleged incident took place sometimes in the year 2021 during the assembly election of the State of West Bengal for the year 2021. The complaint does not disclose any specific date when such alleged incident took place. There is also no explanation about the inordinate delay in approaching the police authority for lodging the complaint. There are no reported injuries available in the case diary produced by the State.

In view of the aforesaid reasons, this Court is inclined to allow the prayer for anticipatory bail. In the event of arrest, the petitioner shall be released on bail subject to the satisfaction of the Arresting Officer and subject to conditions contained in Section 482(2) of BNSS, 2023 corresponding to Section 438(2) of the Cr.P.C.

The petitioner shall attend before the Investigating Officer on all dates as the Investigating Officer may require him to do so and shall cooperate with the investigation in all respect.

Thus, *CRM (A) 3896 of 2026* is allowed.

Memo of evidence submitted by the State be kept with the record and case diary is returned to the learned Advocate for the State.

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.

(HIRANMAY BHATTACHARYYA, J.)