09.11.2026
Sl. No.72
Ct. 07
NB

C.R.M. (A) 3930 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 Karimpur PS Case No.305/2026 dated 13.09.2026 under Sections 302/406/417/506/34 of the Indian Penal Code, 1860.

And

In the matter of: Sovan Biswas @ Suman Biswas & Anr.

… petitioners

Mr. Moyukh Mukherjee,
Mr. Amanul Islam,
Mr. Sourav Mukherjee,
Ms. Sagnika Banerjee.
…for the petitioners.

Mr. Gouranga Kr. Das ld.APP.,
Ms. Deblina Bhattacharjee.
…for the State.

1. Mr. Mukherjee, learned advocate representing the petitioners, submits that the petitioners have been falsely implicated in this case. He submits that the principal accused person, namely, Sathi Roy @ Swati Roy, has been granted the benefit under Section 482 of the BNSS. He also submits that there is an inordinate delay of almost 7½ years in initiating the present proceedings. He further submits that, in such circumstances, the petitioners may be granted anticipatory bail.
2. Mr. Das, learned Additional Public Prosecutor representing the State, produces the Case Diary and opposes the prayer for anticipatory bail of the petitioners on the basis of the materials available therein.
3. Heard the learned advocates appearing on behalf of the respective parties.

4. Perused the case diary and other materials available in the case diary.
5. Admittedly, there is a delay of 7½ years in lodging the FIR, and there is no explanation to justify such delay. The principal accused person has been granted anticipatory bail under Section 482 of the BNSS. Taking note of this fact and considering the alleged role attributed to the present petitioners, I am of the view that the benefit under Section 482 of the BNSS can also be extended to the petitioners. Accordingly, I am inclined to grant anticipatory bail to the petitioners.
6. Accordingly, in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.20,000/- each 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 petitioners shall cooperate with the investigation and shall meet the Investigating Officer as and when called for to do so and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever.
7. The application for anticipatory bail is, thus, disposed of.
8. 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.

(Partha Sarathi Chatterjee, J.)