

AD 41
January 21, 2026
Ct. 28
SG

Allowed

CRM(A) 4283 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Bhadreswar P.S. Case No.226 of 2024 dated 03.06.2024 under Sections 498A/406//323/376D/506/34 of the IPC read with Sections 3/4 of the D.P. Act.

And

In the matter of:

XXX

... petitioner

Mr. Mrityunjoy Chatterjee
Ms. Suchismita Chakraborty
Mr. Arka Roy

... for the petitioner

Mr. Saibal Bapuli, Id. APP
Ms. Madhumita Basak

... for the State

Report filed by the State is taken on record.

Despite service no one appears on behalf of the de facto complainant.

Learned counsel for the petitioner submits that similarly circumstanced co-accused was granted anticipatory bail by a Division Bench of this Court on 24.03.2025 in CRM(A) 900 of 2025. The FIR in this case was lodged after about one year and two months of the alleged date of occurrence.

Learned counsel for the State opposes the prayer for anticipatory bail and relies on the statements of the victim and other witnesses and the injury report.

Considering the above, the other materials available in the case diary, the delay of about more than one year in

lodging the FIR and the facts that similarly circumstanced co-accused was granted anticipatory bail by a Division Bench of this Court and a charge-sheet has been submitted, I am inclined to grant anticipatory bail to the petitioner.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) 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 the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and on the further conditions that the petitioner shall surrender before the jurisdictional court within four weeks from this date and pray for bail, attend the jurisdictional court regularly and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

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

(Jay Sengupta, J.)