23
10.11.2026
Court No.8.
adeb
(Allowed)

CRM (A) No. 4012 of 2026

In Re: An Application under Section 482 of BNSS, 2023 in connection with Chakdah Police Station Case No. 1545 of 2026 dated 22.10.2026 under Sections 126(2)/115(2)/117(2)/ 109/74/75/303(2)/351(3)/3(5) of BNS, 2023.

And

In the matter of : Suvendu Das @ Putan Das & Ors.

.....Petitioners.

Mr. Sudip Kumar Khan
Mr. Anirban Kumar Banerjee
Ms. Mousumi Hazra
Ms. Sayantani Hazra
Mr. Arpan Mondal
Mr. Mingma Dama Sherpa
Mr. Rituraj Bhowal
Mr. Titas Biswas
Mr. Sumit Kumar Khan

.....for the Petitioners

Mr. Rajendra Banerjee
Mr. Ajay Dey
Mr. Shatarup Purkayastha

.....for the State

1. This is an application for anticipatory bail and learned advocate representing petitioners submits that one of co-accused namely Joy Roy has obtained bail vide order dated 5th November, 2026 of learned ACJM, Kalyani, Nadia. Complaint was lodged based on scuffle between two groups at the time of Durga idol immersion on 21st October, 2026 and it was alleged by the complainant that petitioners being members of rival group physically assaulted members of other group. However, names of all the petitioners are not mentioned in the complaint as it is submitted on behalf of petitioners.

2. Learned advocate representing State has opposed this application based on the statement made under Section 180 of BNSS. It is submitted that statements were made under Section 180 of BNSS against petitioner no. 1 in order to connect the said petitioner with the alleged offence.
3. Having considered the submissions made on behalf of respective parties and on perusal of relevant records available in case diary it appears that name of petitioner no. 1 is not incorporated in the formal FIR drawn up based on complaint lodged. Moreover, one of the co-accused, namely, Joy Roy has obtained bail from the learned trial court. As name of petitioner no. 1 is not mentioned in the FIR, merely based on the statement made under Section 180 of BNSS before the concerned police authority objection is raised on behalf of State respondents against granting anticipatory bail and same is negated. So far other petitioners are concerned they are on better footing.
4. In view of aforesaid scenario custodial interrogation of the petitioners is not warranted.
5. In the event of arrest petitioners shall be released on bail upon furnishing bond of Rs. 5,000/- (Rupees Five Thousand only) each with two sureties of like amount each, one of whom must be local to the satisfaction of arresting officer subject to compliance of conditions laid down under Section 482(2) of BNSS, 2023.
6. It is also clarified that petitioners shall appear before the investigating officer as and when their presence is required

and violation of such condition shall lead to cancellation of bail by the learned trial Court without reference to this Court.

7. Application being CRM (A) No. 4012 of 2026 is allowed and disposed of.
8. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Saugata Bhattacharyya, J.)