

05.02.2026
Court No.28
Item No.27
ssi

CRM (A) 4289 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Coke Oven Police Station Case No.**81 of 2025** dated **15.06.2025** under Sections **64 (2) (F) (M), 70 (1), 77, 308 (2), 351 (2) & 3 (5)** of the BNS 2023.

And

In the matter of: **XXX.**

.... Petitioner.

Mr. Siddharta Sarkar

...for the petitioner

Ms. Shaila Afreen
Ms. Debadrita Mondal

..for the State

Learned counsel appearing on behalf of the petitioner submits as follows. This is a second application for anticipatory bail. Firstly, a charge sheet has now been submitted without Section 70 (1) of the BNSS which was there in the FIR. Secondly, the principal accused has been granted bail.

As the charge sheet has been submitted under different provisions and after excluding the charge under Section 70 (1) of the BNSS, the second application for anticipatory bail would be maintainable.

On merits, learned counsel appearing on behalf of the petitioner submits that he has been falsely implicated in this case. There is an ongoing dispute between two cousin sisters.

Learned counsel appearing on behalf of the de facto complainant submits that the principal accused has been granted bail.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. She relies on the statements of the

witnesses and the medical report. However, she submits that the principal accused has been arrested and the charge sheet has been submitted.

Considering the above, the other materials available in the case diary, the alleged role ascribed to the present petitioner and the fact that the principal accused has been arrested, I do not think that custodial interrogation of the petitioner is required in this case and I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the application for anticipatory bail of the petitioner is allowed.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- 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 further conditions that the petitioner shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date and shall not threaten or intimidate the witnesses.

The application for anticipatory bail is, thus, disposed of.

(Jay Sengupta, J.)