

11/02/2026
D/L – 13
Court No.28
S. Kundu
Allowed

C.R.M.(A) 4389 of 2025

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Belda P.S case no. 458 of 2025 dated 26/11/2025 under sections 329(4)/115(2)/76/79/109/3(5) of the BNS.

In the matter of: Sitaram Debnath

...Petitioner.

Mr. Sayantan Hazra

...for the petitioner.

Mr. Sumanta Ganguly

Mr. Arup Das

...for the de-facto complainant.

Mr. Prasun Dutta

Ms. Sima Biswas

...for the State.

1. Learned counsel appearing for the petitioner submits that the petitioner had refused to transfer all properties to his son. This prompted the son and his wife to commit torture upon him. He was compelled to make several complaints before the Police Authorities. In fact, one FIR was registered prior to the present FIR being Belda P.S case no. 354 dated 8.9.2025 under Sections 329(3), 115(2), 303(2), 324(4), 351(2) and 3(5) of the BNS. As a counter-blast, the present FIR has been registered.
2. Learned counsel appearing for the de-facto complainant opposes the prayer for anticipatory bail.
3. Learned counsel appearing for the State opposes the prayer for anticipatory bail. She relies on the statements of witnesses including that of the alleged victim and the injury report.

4. Considering the above and the other materials available in the case diary and the fact that there is a prior FIR lodged by the petitioner against the present de-facto complainant, 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.
5. In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- each 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 further conditions that the petitioner shall cooperate with the investigation and shall not threaten or intimidate the witnesses. The petitioner shall meet the I.O once a fortnight till submission of report in final form.
6. Accordingly, the application for anticipatory bail is allowed.
7. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)