

28.01.2026
Sl. No.49
Ct. 28
NB

C.R.M (A) 48 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 Malda PS Case No.790/2025 dated 10.11.2025 under Sections 115(2)/118(1)/118(2)/126(2)/3(5) of BNS.

And

In the matter of: Bappa Das @ Prakash Das ... petitioner

Mr. Kazi M. Rahman.
...for the petitioner.

Mr. Binoy Kumar Panda,
Mr. Prakash Mishra.
...for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner was having to put on and off the electricity connection because of some repair work. The villagers got angry and assaulted the petitioner. The petitioner had to retaliate to save themselves.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statements of witnesses and the injury report, which, however does not show infliction of any grievous injury.

Considering the above and the other materials available in the case diary, 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 present petitioner.

Accordingly, 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 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 petitioner shall cooperate with the investigation and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and the petitioner shall meet the Investigating Officer once a week till submission of report in final form.

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

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.

(Jay Sengupta, J.)