

Cr. Misc. Case No. 1074/2026
CNR No. WBHW0100 2729 2026
Present: Subhash Kumar Kar
Sessions Judge, Howrah.
J.O. Code – WB00592

Order No.02 dated 15.06.2026.

The application u/S.482 BNSS arising out of Howrah P.S. Case No. 149 of 2026 dated 03.04.2026 u/Ss. 329(4)/352/351(2)/115(2)/117(2)/118(2)/3(5) of BNS, filed by the accused/petitioners namely, 1] Abhishek Shaw @ Avishek Shaw & 2] Priyanka Kumari Shaw @ Priyanka Swarnakar, is taken up for hearing.

The petitioners have stated on affidavit that no application has been pending or rejected before or by the Hon'ble High Court till date.

Perused the petition and the C.D. Heard both sides.

Ld. Advocate appearing for the petitioners submitted that the present petitioners have no overtact in the allege crime and it is prayed to allow the prayer for anticipatory bail.

Ld. P.P appearing for the State referred the relevant portion of the C.D and submitted to reject the prayer for anticipatory bail.

Ld. Advocate appearing for the de facto complainant also raises objection and submitted that the de facto complainant has received severe injury on his eye and it is prayed to reject the prayer for anticipatory bail.

On perusal of the record it appears that this case relates to the alleged offence punishable u/Ss. 329(4)/352/351(2)/115(2)/117(2)/118(2)/3(5) of BNS, and it is alleged in the FIR that on 02.04.2026 the present petitioners and other accused persons started assaulting the de facto complainant following an altercation took place on 01.04.2026 at about 12 noon and while the present petitioners and other accused persons were assaulting him, his wife Vandana Verma came in his rescue and they also assaulted her and one accused Sonu Swarnakar assaulted him with a massive blow on his left eye causing severe injury thereon.

On perusal of the materials including the injury report lying in the C.D., I do not find any materials suggesting the custodial interrogation of the present petitioners and I do not find any impediment in allowing the prayer for anticipatory bail of the petitioners.

Hence, it is

Ordered -

that the application under section 482 of BNSS filed by the accused/petitioners is considered and allowed.

Accordingly, in the event of arrest accused/petitioners namely, 1] Abhishek Shaw @ Avishek Shaw & 2] Priyanka Kumari Shaw @ Priyanka Swarnakar, shall be released forthwith on furnishing bond of Rs.1,000/- each with one regd. Surety of like amount, subject to the satisfaction of the Arresting Officer and on condition as laid down under Section 482(2) BNSS.

C.D and T.C.R be returned.

The Cr. Misc. Case is thus disposed of.

Let a copy of the order be sent to the Ld. C.J.M, Howrah for information and taking necessary action.

Dictated & corrected by me

S. J.

Sessions Judge, Howrah