

M/L 132

11.09.2026
Rohit, A.R.(Ct.)
ct.no.35

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION
APPELLATE SIDE**

C.R.M (A) 1855 of 2026

**Illas Shah
Vs
The State of West Bengal**

In Re: An Application for Anticipatory Bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023/ under Section 438 of the Code of Criminal Procedure, 1973 arising out of **Jagatballavpur** Police Station Case No. **47 of 2026** dated **15.02.2026** under Sections **126(2)/117(2)/118(2)/109/3(5)** of the BNS, 2023.
And

In the matter of : Illas Shah

Mr. Soumya Basu Roy Chowdhuri

.....Petitioner.

...for the Petitioner

Mr. Soumya Raha

...for the State

1. Learned Advocate appearing for the petitioner submits that the petitioner is similarly situated as Jiyarul Sha & Iyashul Shah. However, his anticipatory bail was rejected by the learned Sessions Judge while that of the other two accused persons have been allowed.

2. Learned Advocate for the State opposes the prayer for anticipatory bail.

3. I have taken into account the statement of the injured. From the statement of the injured I find that the father and the two sons are similarly situated. Having considered the same and the fact that charge-sheet has already been

submitted I am inclined to allow the prayer for anticipatory bail.

4. As such, I direct that in the event of arrest, the petitioner, namely, **Illas Shah** be released on bail by the Investigating Officer/arresting officer of the case on such terms and conditions as it deems fit and proper. This would be subject to the conditions under Section 438(2) of the Cr.P.C and/or under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. As charge-sheet has already been submitted, this order of anticipatory bail will remain in force for a period of six weeks.

6. Accordingly, CRM (A) 1855 of 2026 is allowed.

7. All parties shall act in terms of server copy of the order downloaded from the Official website of this Court.

8. Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)