

21.08.2026
Court No.551
Item No.10
tbsr

CRM (A) 2478 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Madhabdihi** P.S. Case No. 155 of 2026 dated **20.06.2026** under Sections **115(2)/117(2)/109(1)/324(4)/308(5)/303(2)/351(3)/3(5)** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: SK. MOHIUDDIN @ SEKH MOHIUDDIN @ KALO

....Petitioner.

Mr. Angshuman Chakraborty
Mr. S. S. Saha
...for the petitioner.

Mr. Ooiseeroop Sinha
Mr. Ayon Shubhra Bandyopadhyay
.....for the State.

1. It is submitted by the learned advocate for the petitioner that according to the First Information Report, the alleged incident happened in the year 2021. The FIR was lodged in 2026 alleging part of incident to have happened in the year 2026. Learned advocate for the petitioner further submits that the petitioner has been falsely implicating in this case due to political rivalry after change of the government. The petitioner has committed no offence at all. He prays for anticipatory bail.
2. On the other hand, learned advocate appearing for the State vehemently opposes the prayer for anticipatory bail. He relies upon various materials in the case diary. He submits that the petitioner is a member of a gang and is engaged in antisocial activities. He also relies upon one seizure list dated July 3, 2026 contained in the case diary to submit that the firearms were also recovered in connection with the instant case. Another FIR was

lodged against some of the accused persons involved in this case. The petitioner is a member of the said gang. In this connection Madhabdihi P.S. Case No. 165 of 2026 dated July 1, 2026 is relied upon. He opposes the prayer for anticipatory bail.

3. Upon hearing the submissions made on behalf of the learned advocate for the petitioner as well as the learned advocate for the State and on perusal of the material available in the case diary, it transpires that there are allegations that the petitioner along with other accused persons attacked the hotel belonging to the de facto complainant and ransacked the hotel. Bombs were hurled. Due to the acts of the accused persons, the de facto complainant suffered a loss of Rs. 8 to 9 lakhs. The aforesaid accused persons including the present petitioner are also alleged to have removed Rs. 6,000/- from cash box and Rs. 4,500/- kept below the bed. The aforesaid incidents were committed at different times. However, all the aforesaid incidents allegedly appear to have taken place in the year 2021.
4. On perusal the materials available in the case diary, I do not find any contemporaneous complaint made by the de facto complainant before the concerned authorities since 2021. No firearms are alleged to have been recovered from the possession of the present petitioner.
5. Considering the aforesaid facts and circumstances of the case, the prayer for anticipatory bail of the present petitioner is allowed.

6. Accordingly, I direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties of like amount each, 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 and on further condition that the petitioner shall meet the Investigating Officer once in a fortnight till the conclusion of investigation and on condition that the petitioners shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.
7. CRM (A) 2478 of 2026 is disposed of.
8. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Md. Shabbar Rashidi, J.)