

17.09.2026
Court No.35.
M/L. 202.
Kausik
(Allowed)

CRM (A) 2830 of 2026

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973/Under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Penro Police Station Case No. 80/2026 dated 24.05.2026 under Sections 329(4)/326(g)/326(f)/308(3)/115(2)/3(5) of BNS, 2023.

And

In the matter of : Sk. Kabirul Islam

.....Petitioner.

Mr. Satadru Lahiri
Mr. Md. Zeeshanuddin
Mr. Syed Wasim Faruque

.....for the Petitioner.

Mr. Ooiseeroop Sinha
Ms. Nupur Choudhury

....for the State.

Learned advocate appearing for the petitioner submits that the facts have been bolstered for registration of a criminal case against the present petitioner. There are two criminal cases and the present is a case which has been registered to substantiate the innocence of the defacto complainant.

Learned advocate for the State has produced the case diary.

I have taken into account the nature of the accusations and having regard to the same, I am of the view, although

investigation can continue but custodial detention of the present petitioner is unwarranted.

As such prayer for anticipatory bail of the petitioner is allowed.

As such, I direct that in the event of arrest, the petitioner, namely, **Sk. Kabirul Islam** be released on bail subject to the satisfaction of the investigating officer/arresting officer of the case and also subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and/or under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

As the investigation of the case is in progress petitioner shall make himself available as and when called for by the investigating officer of the case for the sake of investigation.

Accordingly, CRM (A) 2830 of 2026 is **allowed**.

Memo of Evidence submitted be kept with the record.

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

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

(Tirthankar Ghosh, J.)