

18.11.2024

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Allowed

C.R.M. (A) No. 3946 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Nalhati Police Station Case No. 522 of 2024 dated 14.09.2024 under Sections 329(3)/115(2)/117(2)/3(5)/109(1) of the BNS.

And

In Re : Soleman Sekh @ Solaman Sk. & Anr. petitioners

Ms. Sinthia Bala

.....for the petitioners

Mr. Pravash Bhattacharyya

Ms. Chandreyi Dutta

....for the State

1. Heard the learned Counsels for the parties.

2. We have considered the materials on record. Prayer for anticipatory bail of the petitioners was withdrawn earlier on the ground that the offences are not bailable. Subsequently, Section 109(1) of the BNS has been added. Whether nature of injuries is life threatening requires to be assessed at the appropriate stage of the proceeding. Under such circumstances, we are inclined to grant anticipatory bail to the petitioners.

3. Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each, 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 482(2) of the Bharatiya
Nagarik Suraksha Sanhita and on condition that they shall
appear before the court below and pray for regular bail within a
period of four weeks from date.

4. The application for anticipatory bail is, thus,
allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)