

12.12.2024
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as
[ALLOWED]

C. R. M. (A) 4351 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Baishnabnagar Police Station Case No. 1073 of 2024 dated 05.10.2024 under Sections 126(2)/115(2)/117(2)/109(1)/303(2)/ 351(3)/3(5) of BNS 2023.

In Re: ***Pintu Sk.@ Pintu Sekh***

... ... Petitioner

Md. Wasim Akram.

... ... for the petitioner

Mr. Madhusudan Sur, Ld. A.P.P.,
Ms. Trina Mitra.

... ... for the State

1. Petitioner submits he is the shop owner and the incident had occurred in front of his shop. He did not participate in the assault. Accordingly, he prays for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail.
3. We have considered the materials on record. In the FIR no allegation of assault is attributed to the petitioner. Subsequent statement implicating the petitioner in the assault appears to be an embellished afterthought.
4. Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.
5. Accordingly, we direct that in the event of arrest, the petitioner viz., ***Pintu Sk.@ Pintu Sekh*** be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under Section 482(2) of

the BNSS. He shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

6. The application for anticipatory bail is, thus, disposed of.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)