

27.11.2024
SI No.84
s.biswas
(Allowed)

**Calcutta High Court
In The Circuit Bench at Jalpaiguri**

CRM (A) 923 of 2024

In Re: An application for anticipatory bail under Section 482 of the BNSS in connection with **Pundibari** Police Station Case No. **602/2024** dated **05.08.2024** under Sections **126(2)/115(2)/118(2)/109** of the BNSS.
And

In Re: **Samcher Ali @ Samser ali and another**

... .. Petitioners

Mr. Subhasish Misra
Mr. Satyajit Paul
Mr. Abhijit chanda
Ms. Keya Sarkar

... for the petitioners

Mr. Tapan Bhattacharjee
Mr. Dhiman Sil

... .. for the State

1. The petitioners pray for pre-arrest bail. The learned counsel for the petitioners submits that the principal accused, namely, Mehedi Hasan has been enlarged on bail.
2. Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail and submits that charge-sheet has been submitted. Based on the case diary, he submits that the victim suffered heinous injury, one hand of the victim was amputated.
3. Considering the submissions of the parties and upon perusal of the materials in the case diary, it appears that the principal accused against whom the main allegation has been levelled, has been enlarged on bail. The charge-sheet has been submitted. Considering the role of the petitioners

(parents of the principal accused) in the alleged offence, we are inclined to grant anticipatory bail to the petitioner.

4. Accordingly, we direct that in the event of arrest, the petitioners be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of equal amount each, to the satisfaction of the jurisdictional court and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of BNSS that the petitioners shall appear before the jurisdictional court on the dates fixed.
5. The application for anticipatory bail is, thus, disposed of.

(Partha Sarathi Chatterjee, J.)

(Shampa Sarkar, J.)