

11.02.2025
Sl. No.31
akd
[ALLOWED]

C. R. M. (A) 442 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 06.02.2025 in connection with Mandermoni Coastal Police Station Case No.09 of 2025 dated 26.01.2025 under Sections 126(2)/115(2)/117(2)/109/351(2)/61(2) of the Bharatiya Nyaya Sanhita, 2023. (G.R. Case No.171 of 2025)

And

In Re: ***Sk. Parvej Ali @ Saruk & Ors.***

... .. Petitioners

Mr. Soubhik Mitter
Mr. Arnab Chatterjee
Ms. Dhanasree Biswas
Ms. Poulami Bose

... .. for the petitioners

Mr. Rudradipta Nandy .. Id. Addl. Public Prosecutor
Ms. Minoti Gomes
Mrs. Rituparna Saha

... .. for the State

1. It is submitted on behalf of the petitioners there was a free fight between parties. Petitioner no.1 suffered injuries. Complaint lodged by the petitioners has not been acted upon. Accordingly, they pray for anticipatory bail.
2. Learned Additional Public Prosecutor opposes the prayer for anticipatory bail and submits petitioners are dangerous persons.
3. We have considered the materials on record including the injury reports. Injuries on the victims do not appear to be grievous or life-threatening. On the other hand, petitioner no.1 suffered fracture injury. It is contended complaint lodged at the behest of the petitioners has not been acted upon. Under such circumstances, we are of the opinion custodial interrogation of the petitioners is not necessary and they may be granted anticipatory bail however, subject to conditions.

4. Accordingly, we direct in the event of arrest, the petitioners, namely, **(1) Sk. Parvej Ali @ Saruk, (2) Mirza Shamsher Beg @ Mirza Samser Begg & (3) Sk. Iyakub @ Jhuna**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, 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 Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition that the petitioners shall meet the Investigating Officer once in a week until further orders. They shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)