

11.02.2025

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Allowed

C.R.M. (A) No. 451 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Nalhati Police Station Case No. 674 of 2024 dated 25.11.2024 under Sections 303(2)/351(2)/3(5) of the BNS.

And
In Re : Saukat Ali petitioner

Mr. Saikat Chatterjee
Mr. Abdur Rakib
.....for the petitioner

Mr. Soumik Ganguly
Ms. Sreetama Das
....for the State

1. Learned Counsel for the petitioner submits he is a former army personnel. He raised his voice against corruption in the local Panchayet. He took an application under Article 226 of the Constitution of India before this Court and the District Magistrate was directed to enquire into allegations of corruption. Subsequently he has been falsely implicated in a series of cases. He prays for anticipatory bail.

2. Learned Counsel for the State opposes the prayer for anticipatory bail.

3. We have considered the materials on record. Petitioner had raised his voice against corruption in the local Panchayet. He had instituted a writ proceeding and direction was given upon the District Magistrate to make enquiry.

Thereafter he has been falsely implicated in a number of cases. Allegation in the present case involves theft of fish from a pond. Possibility of false implication owing to enmity with the members of the local Panchayet cannot be ruled out. Under such circumstances we are of the opinion this is a fit case to grant anticipatory bail to the petitioner.

4. Accordingly, we direct that in the event of arrest the petitioner shall 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 be subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita and on further condition that he shall meet the investigating officer once in a week until further orders. He shall appear before the jurisdictional court and pray for regular bail within a period of four weeks from date.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)