

12.02.2025
35.
Ct. No. 28
SG
[Allowed]

C. R. M. (A) 470 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with G.R. Case No. 920 of 2024 arising out of Uluberia Police Station Case No. 154 of 2024 dated 21.04.2024 under Sections 143/341/332/333/335/353/326/307/427/379/186/506/120 B/411 of IPC read with Section 25/27 of Arms Act and charge-sheet submitted under Sections 143/341/332/333/335/353/326/307/427/379/411/186/506 /120Bof IPC

And

In Re: **Bapi Khan and Ors.**

... .. Petitioners

Mr. Mrityunjoy Chatterjee,
Mr. Manas Das,
Mr. Suchismita Chatterjee

.... For the petitioners

Mr. Ranadeb Sengupta,
Ms. Chandreyi Dutta.

.... For the State

1. Petitioners submit they have not been named in the FIR. Co-accused have been granted pre-arrest bail. They do not stand on the same footing with Sk Ajijul whose prayer for pre-arrest bail was turned down as he was named in the FIR. Accordingly, petitioners pray for anticipatory bail.

2. Learned Advocate for the State produced the case diary.

3. We have considered the materials on record. A number of persons assaulted policemen. They were named in the FIR. Petitioners are not named in the FIR and do not stand on the same footing with Sk Ajijul (named in the FIR) whose prayer for pre-arrest bail was turned down. Their complicity has transpired

from statement of co-accused before police officers during investigation.

4. Under such circumstances, we are inclined to grant anticipatory bail to the petitioners.

5. Accordingly, we direct that in the event of arrest, the petitioners viz., **(1) Bapi Khan, (2) Sk. Asgar @ Asgar Khan** and **(3) Ramjan Ansari @ Romjan Ansari @ Sebj** 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 subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023. They shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

6. Application for anticipatory bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)