

19.02.2025
Sl. No.18
akd
[PARTLY
ALLOWED]

C. R. M. (A) 558 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 13.02.2025 in connection with Hariharpara Police Station Case No. 792 of 2024 dated 07.11.2024 under Sections 85/103(1)/3(5) of the Bharatiya Nyaya Sanhita, 2023. (G.R. Case No.5910 of 2024)

And

In Re: ***Murshid Alam & Ors.***

... .. Petitioners

Mr. Ali Ahsan Alamgir
Ms. Soma Mal
Ms. June Modak

... .. for the petitioners

Ms. Baisali Basu
Ms. Pallavi Priyadarshi

... .. for the State

1. Petitioner no.1 is the husband and petitioner nos.2 and 3 are the brothers-in-law of the victim-housewife.
2. It is submitted on behalf of the petitioners that they have been falsely implicated. Accordingly, they pray for anticipatory bail.
3. Learned Advocate for the State opposes the prayer for anticipatory bail.
4. We have considered the materials on record. Incident occurred in a garden where petitioner no.1 was last seen with the deceased. Keeping in mind the incriminating materials collected against petitioner no.1 and gravity of the offence, we are not inclined to grant anticipatory bail to him.
5. Accordingly, the prayer for anticipatory bail of petitioner no.1 namely, ***(1) Murshid Alam*** is rejected.
6. However, there is no material to show petitioner nos.2 and 3 were present at the place of occurrence. In view of such fact, we are of

the opinion custodial interrogation of petitioner nos.2 and 3 is not necessary and they may be granted anticipatory bail.

7. Accordingly, we direct in the event of arrest, the petitioner nos.2 and 3 namely **(2) Khurshid Alam & (3) Sujan Sk.**, be released on bail upon furnishing 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 petitioner nos.2 and 3 shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)