

21.02.2025
36.
Ct. No. 28
SG
[Allowed]

C. R. M. (A) 580 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in respect of Kaliachak Police Station Charge-sheet No. 11/2025 dated 14.01.2025 in connection with Kaliachak Police Station FIR No. 28 of 2020 dated 08.01.2020 under Sections 147/148/149/186/323/333/353/307/379/427/436 of IPC with Sections 3/4 of Prevention of Damage to Public Property Act with Sections 3/4 of Explosive Substances Act with 9/15A of West Bengal Maintenance of Public Order Act and Section 8(b) of National Highways Act.

And

In Re: **Md Roju Sk.**

... ... Petitioner

Mr. Santanu Talukdar,
Mr. Sayak Chakraborti,
Mr. Wrickbrata Roy,
Mr. Shwashwitwik Chatterjee,
Mr. Iswsar Das.

... for the petitioner

Mr. Sandip Chakaraborty,
Ms. Ayana De.

.... for the State

1. Petitioner submits he was not named in the FIR. He has been falsely implicated in the charge-sheet alleging he participated in a violent demonstration against Citizenship Amendment Act. Accordingly, he prays for anticipatory bail.
2. Learned Advocates for the State opposes the prayer for anticipatory bail.
3. We have considered the materials on record. A public agitation took place against implementation of Citizenship Amendment Act. It is alleged agitationists became violent, threw bombs and damaged public property. However, petitioner is not named in the FIR. Even the statements recorded during

investigation merely mention his name as a member of the unlawful assembly. No overt act is attributed to him.

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

5. Accordingly, we direct that in the event of arrest, the petitioner viz., **Md Roju Sk** 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 subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023. He 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.)