

04.03.2025
Sl. No.9
akd
[ALLOWED]

C. R. M. (A) 659 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 18.02.2025 in connection with Nalhati Police Station Case No.74 of 2025 dated 14.02.2025 under Sections 332(b)/118(2)/109(1)/3(5) of the Bharatiya Nyaya Sanhita, 2023. (G.R. Case No.367 of 2025)

And

In Re: **Ayesa Siddika & Ors.**

... .. Petitioners

Mr. Sabir Ahmed
Mr. Tasnim Ahmed
Mr. Dhiman Banerjee
Mr. Quazi Ezaz Ahmed
Mr. Masun Tarafdar

... .. for the petitioners

Mr. Chittapriya Ghosh
Ms. Priyanka Saha

... .. for the de-facto complainant

Ms. Sreyashee Biswas
Mr. Kaustav Banerjee

... .. for the State

1. It is submitted on behalf of the petitioners there is a civil dispute between the parties. They have been falsely implicated. Accordingly, they pray for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail.
3. Learned Advocate for the de-facto complainant also opposes the prayer for anticipatory bail. He submits his client was repairing her house in terms of a court order. At that time, petitioners assaulted her and her husband.
4. We have considered the materials on record. A civil suit is pending by and between the parties. It is contended de-facto complainant was making repairs in terms of a court order. Petitioners

attacked the de-facto complainant and assaulted her and her husband. We have considered the injury report including the CT scan report. Injury report shows blunt injury. No intra-cranial injury is noted in the CT scan.

5. Under such circumstances, we are of the opinion though custodial interrogation of the petitioners is not necessary, their movement requires to be restricted in order to ensure the de-facto complainant is able to make repairs in terms of the court order without interference.

6. Accordingly, we direct in the event of arrest, the petitioners, namely, **(1) Ayesa Siddika, (2) Md. Rabiuddin Ahamed & (3) Jhuma Begum @ Ummay Habiba**, 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, while on bail, shall not enter the jurisdiction of Nalhati Police Station for three months or until further orders, whichever is earlier. They shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)