

05.03.2025

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Allowed

C.R.M. (A) No. 749 of 2025

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

And

In Re : Sadek Khan & Ors. petitioners

Mr. Santanu Talukdar
Mr. Sayak Chakraborti
Mr. Wrickbrata Roy
Md. Mahibar Rahaman
Mr. I. Das
Mr. S. Chatterjee

.....for the petitioners

Mr. Rudradipta Nandy, learned APP
Ms. Sanjana Saha

....for the State

1. Learned Counsel for the petitioners submits a public demonstration took place against implementation of Citizenship Amendment Act. They have been falsely implicated. Co-accused have been granted anticipatory bail. They pray for similar relief.

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

3. We have considered the materials on record. Allegations against the petitioners are general and omnibus.

Co-accused have been granted anticipatory bail. Accordingly we are inclined to grant anticipatory bail to the petitioners.

4. Accordingly, we direct that in the event of arrest the petitioners shall 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 and on condition that they 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.)