

21.03.2025
Item No.2
Ct. No. 26
CHC
Rejected

C.R.M.(A) 781 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita 2023, in connection with **Tapan** Police Station Case No. **55** of **2025** dated **27.01.2025** under Sections **126(2)/ 115(2)/ 117(2)/ 118(2)/ 109/3(5)** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of : Rashel Mia @ Rasel Sarkar

..... petitioner

Mr. Biswajit Manna, Advocate
....for the petitioner

Mr. Sandip Chakraborty, Advocate
Mr. Prakash Mishra, Advocate
....for the State

Mr. Sabir Ahmed, Advocate
Mr. Masud Karim, Advocate
Ms. Anushika Bharati, Advocate
Mr. Rashed Rashid, Advocate
....for the de facto complainant

1. Petition is taken up for consideration subsequent to the order dated March 5, 2025.
2. Apparently, coordinate Bench extended interim protection to the petitioner in order to allow the petitioner to appear for the Class XII examinations. Class XII examinations are presently over.
3. A minor suffered grievous hurt at the instance of the petitioner.

4. Eyewitnesses recorded statement under Section 180 of the BNSS stating that the petitioner assaulted the minor with a bamboo stick in such a manner so that the minor received five stitches apart from other injuries suffered.
5. Narration of the events of the eyewitnesses suggest that, the petitioner deliberately engaged in the assault on a minor.
6. Considering the grievous nature of the incident and the involvement of the petitioner therein, we are not inclined to grant anticipatory bail to the petitioner.
7. This application for anticipatory bail is, thus, rejected.

(Debangsu Basak, J.)

(Smita Das De, J.)