

06.03.2025

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sdas
Allowed

C.R.M. (A) No. 788 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. 38 of 2025 dated 09.01.2025 under Sections 126(2)/115(2)/117(2)/109/79/303(2)/3(5) of the BNS.

And

In Re : Jahangir Sk. Md. Zahangir Alam petitioner

Mr. Mrityunjoy Chatterjee
Mrs. Suchismita Chakraborty
Mr. Debopriya Mazumder

.....for the petitioner

Mr. Imran Ali
Ms. Rituparna Saha

....for the State

1. Learned Counsel for the petitioner submits allegations do not disclose ingredients of the offence under Section 109 of the BNS. He has been falsely implicated. He prays for anticipatory bail.

2. Learned Counsel for the State opposes the prayer for anticipatory bail and submits one of the victims was in the family way.

3. We have considered the materials on record including the injury report. Report does not show injuries are grievous. Nothing is placed on record to demonstrate that the assault had impacted pregnancy. Under such circumstances we are inclined to grant anticipatory bail to the petitioner.

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