

17.03.2025

Serial no. 10
Anticipatory bail
[Rejected]
Dd

CRM (A) 881 of 2025

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure corresponding to Section **482** of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Bidhannagar Electronics Complex** Police Station Case No. **197** of **2023** dated **24.12.2023** under Sections **341/323/325/326/307/506/34** of the Indian Penal Code.*

-And-

In the matter of : **SUBHAM SWAIN AND ANR.**
... ..**Petitioners**

Mr. Jayanta Narayan Chatterjee, sr. adv.
Mr. Dwaipayan Biswas,
Ms. Deborshi Roy, Advocates
... .. For the Petitioners
Mr. Anwar Hossain,
Ms. Puspita Saha, Advocates
... ..For the State

1. Petitioners pray for anticipatory bail.
2. Learned advocate appearing for the petitioners submits that petitioners are students. He refers to an order dated May 9, 2024 by which, anticipatory bail was granted to a co-accused.
3. Learned advocate appearing for the State submits that there are criminal antecedents so far as the petitioners are concerned. Three police cases are pending as against the petitioners.
4. Learned advocate appearing for the petitioners submits that there are two police cases as against the co-accuseds who was enlarged on May 9, 2024.
5. On May 9, 2024, a co-accused granted anticipatory bail on the consideration that such co-accused was a student of an University and that, after examination, a free fight took place between two groups of students.

6. It appears from the materials placed on record that there are three police cases as against the petitioners. The police cases involve assault.
7. Apparently, the petitioners before us are involved in such incidents of assault repeatedly. They are on anticipatory bail in those police cases.
8. Enlarging the petitioners on anticipatory bail apparently is sending a wrong signal to them that they will be able to secure anticipatory bail in an incident of assault happening.
9. In our view, enlarging any of the petitioners on anticipatory bail will sent a wrong signal to the society.
10. In such circumstances, we are not inclined to grant anticipatory bail to the petitioners.
11. Prayer for anticipatory bail of the petitioners is **rejected**.
12. **CRM (A) 881 of 2025** is **dismissed**.

(Debangsu Basak, J.)

(Smita Das De, J.)