

12.03.2025
Item No.14
Ct. No. 26
CHC
Allowed

C.R.M.(A) 873 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita Act, 2023, in connection with **Chanchal** Police Station Case No. **200** of **2025** dated **22.02.2025** under Sections **103(1)/49** of the Bharatiya Nyaya Sanhita, 2023, pending before the Court of Learned Additional Chief Judicial Magistrate, Chanchal, Malda.

And

In the matter of : Fayjul Reja @ Faijul Reja & Ors.
..... petitioners

Md.Wasim Akram, Advocate
....for the petitioners

Mrs. Anasuya Sinha, Ld. A.P.P.
Ms. Nandini Chatterjee, Advocate
....for the State

1. Post Mortem Report of victim does not classify the injuries suffered by the victim to be homicidal in nature.
2. Apparently, there was a road traffic accident where, the petitioner no.1 before us who was driving the motor cycle along with the pillion rider suffered injuries. The victim who was the pillion rider ultimately expired due to the injuries suffered in such accident.
3. Statement of eyewitnesses available in the Case Diary tends to corroborate the version of the petitioners with regard to the road traffic accident.

4. There is hardly any substantial material as against the petitioner no.2 to 4 in the Case Diary.
5. In such circumstances, we grant anticipatory bail to the petitioners.
6. Accordingly, we direct that in the event of arrest the petitioners will 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 be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973, corresponding to Section 482(2) of the BNSS and petitioner no.1, namely, Fayjul Reja @ Faijul Reja, petitioner no.3, namely, Sk Yeasin @ Sk Yasin, petitioner no.5, namely, Parwana Raja @ Paroyana Reja will report before the Investigating Officer once in a fortnight till the conclusion of investigation and petitioner no.2, namely, Firoza @ Firoza Bibi @ Rebai Bibi and petitioner no.4, namely, Sabnur Yeasmin @ Sabnur Khatun will cooperate with the Investigating Officer till the conclusion of the investigation and on further condition that the petitioners shall appear on every date before the jurisdictional court on and from the date fixed for appearance of the accused and in default the jurisdictional court will pass appropriate order to secure the presence of the petitioners

in court including cancelling the anticipatory bail granted without further reference to this Court.

7. This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Smita Das De, J.)