

26.03.2025
09
Court No.26
S.D.
Rejected

CRM (A) 1004 of 2025

In re: An Application for **anticipatory bail** under Section **482** of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Baishnabnagar** Police Station Case No. **102** of **2025** dated **28.01.2025** under Sections **118(2)/109/103/3(5)** of the Bharatiya Nyaya Sanhita, 2023 and under sections 25/27/35 of the Arms Act, 1959.

-And-

In the matter of: Sujoy Ghosh @ Sujit Ghosh & Anr.
... .. Petitioners

Mr. Aliul Islam
Ms. Benajir Hasna
Mr. Sadid Haider
... .. For the Petitioners
Mr. Jaydeep Biswas
Mr. Akash Ganguly
...For the State

Petitioners pray for anticipatory bail on the ground of parity with the co-accused who was granted such facility by the Coordinate Bench on February 24, 2025 passed in C.R.M. (A) 550 of 2025.

Learned advocate appearing for the State submits that there are six criminal antecedents so far as the first petitioner is concerned and four so far as the second petitioner is concerned. He refers to the materials in the case diary.

A person was shot at and died in an incident in which the two petitioners before us stand implicated. One co-accused was enlarged on anticipatory bail by the Coordinate

Bench on February 24, 2025 passed in C.R.M. (A) 550 of 2025.

Such order, however, does not allude to any instance of any criminal antecedents so far as such co-accused is concerned.

So far as the present petitioners are concerned, there are six criminal antecedents so far as the first petitioner and four for the second petitioner.

In view of the criminal antecedents of the two petitioners before us, we are not in a position to arrive at a conclusion that the present petitioners stand on the same footing as that of the co-accused who was enlarged on anticipatory bail by the Coordinate Bench on February 24, 2025.

Considering the criminal antecedents of the petitioners, materials in the case diary and the gravity of the offence, we are not inclined to grant anticipatory bail to the petitioners and the prayers for anticipatory bail of the petitioners are rejected.

The application being **C.R.M. (A) 1004 of 2025** stands **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

