

AD 26
April 4, 2025
Ct. 28
SG

Allowed

CRM(A) 1092 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Ratua P.S. Case No.555 of 2024 dated 13.10.2024 under Sections 329(3)/118(2)/109/3(5) of the Bharatiya Nyaya Sanhita.

And

In the matter of: *Nur Jahan @ Nurjahan and others*
... petitioners

Mr. Amanul Islam
Mr. Arup Sarkar

... for the petitioner.

Ms. Faria Hossain
Mr. Arani Bhattacharyya

... for the State

Learned counsel appearing for the petitioners submits as follows. There was free fight between two groups of family members. There were a case and a counter case. The first case started by the petitioners. Both sides suffered injuries. However, the petitioners are not the prime accused in this case.

Learned counsel for the State relies on the case diary, draws the Court's attention to the injury report and to the statements of the injured witnesses as well as independent eye-witnesses. Although the injured witnesses had taken the names of several accused as the assailants including the petitioners, the independent eye-witness had taken the name

of one Jabbar as the prime accused who had given a blow on the victim Ujir's head. Charge-sheet had been submitted.

Considering the fact that charge-sheet has already been submitted and in view of the statements of the witnesses, particularly the independent eye-witnesses, I am inclined to allow this application.

In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) each with two sureties of like amount each, one of whom must be local, 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, 2023 and on the further condition that the petitioners shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

(Jay Sengupta, J.)

