

16.04.2025
Court No.28
Item No.11
ssi

CRM (A) 1133 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with **Harirampur** P.S. FIR No.**24 of 2025** dated **03.02.2025** under Sections **310 (4)/310 (5)** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: **Mojjamel Hoque @ Mojjamel @ Mejamel Hoque.**

....Applicant/Petitioner.

Ms. Suparna Chatterjee

...for the petitioner.

Mr. Parthapratim Das
Mr. Debanshu Ghorai

...for the State.

Memo of evidence filed on behalf of the State is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner has been falsely implicated in this case on the basis of co-accused statement, although the same is inadmissible in evidence. The arrested accused have been granted bail.

Learned counsel appearing on behalf of the State relies on the case diary and opposes the prayer for bail. He submits that the only material available against the petitioner, as of now, is the statement of a co-accused.

In view of the fact that the only material available against the petitioner in the case diary is the statement of a co-accused, which is inadmissible in evidence, I am inclined to grant anticipatory bail to the petitioner.

In view thereof, the prayer for anticipatory bail is allowed.

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, 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 further conditions that the petitioner shall meet the I.O. of the case once a week till submission of report in final form and shall not try to influence the witnesses or threaten them.

The application for anticipatory bail is, thus, disposed of.

(Jay Sengupta, J.)