

10.04.2025.
24.
Ct. No. 28
PRITAM
[ALLOWED]

C. R. M. (A) 1156 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Ekbalpore** Police Station Case No.111 of **2025** dated **25.03.2025** under Sections **126(2)/118(1)/79/74/54** of the BNS, 2023.

And

In Re: **Rashid Akhtar & Anr.**

... .. petitioners.

Mr. Iqbal Hussain

.... for the petitioners.

Mr. Aniruddha Bhattacharyya

.....for the *de-facto*.

Mr. Atif Ahmed Siddiqui

.... for the State.

1. Learned advocate appearing on behalf of the petitioner submits as follows. A scuffle took place between two groups of neighbours over feeding of stray animals. In fact, it is the *de-facto* complainant who had started the thing by spitting on the accused. No serious injury was suffered by anyone. There is a counter-case in this regard. Till date, the victim's statement before the Magistrate has not been recorded in the said case.

2. Learned counsel appearing on behalf of the *de-facto* complainant strongly opposes the prayer and submits that apart from assault, there was outrage of modesty.

3. Learned advocate appearing on behalf of the State relies on the case diary and refers to the injury report.

4. Considering the materials on record, including the injury report, I do not think that this is fit case for custodial interrogation of the petitioners.

5. Accordingly, I direct that in the event of arrest, the petitioners viz., **Rashid Akhtar and Nahid Akhtar @ Nahid Fatema Khan** be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023. The petitioners shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever. The petitioner no.1 shall meet the Investigating Officer once in a week till submission of charge-sheet.

6. The application for anticipatory bail being **CRM (A) 1156 of 2025** is, thus, disposed of.

(Jay Sengupta, J.)