

AD 15
April 22, 2025
Ct. 28
SG

Reject

CRM(A) 1185 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Baishnabnagar P.S. Case No.1356 of 2024 dated 04.12.2024 under Sections 179/180/61(2) of the BNS, 2023.
And

In the matter of: *Ziaul Hoque @ Jiya Mia @ Jiyaul Hoque*
... petitioner

Ms. Sabrina Parveen

... for the petitioner.

Ms. Rituparna Ghose
Mr. Sharequl Haque

... for the State

Learned counsel appearing for the petitioner submits that the petitioner has been implicated on the basis of the statement of a co-accused, which is inadmissible in evidence. A charge-sheet has already been submitted.

Learned counsel for the State opposes the prayer for anticipatory bail. Besides the statement of a co-accused, she relies on statements of a friend and a brother of the petitioner who say that the particular mobile phone SIM card was being used by the petitioner although the same was in the name of his brother. CDR analysis shows that as per tower location, at the time of incident the petitioner was there at the place of occurrence. Moreover, there were calls made between the accused and the petitioner. Rs.1.86 lakhs

worth of fake currency notes were recovered from the co-accused.

In view of the incriminating materials available in the case diary as referred to above, I am not inclined to grant anticipatory bail to the petitioner.

The application for anticipatory bail is, thus, rejected.

(Jay Sengupta, J.)