

16.04.2025
Sl. No.21
Ct. 28
NB

C.R.M. (A) 1192 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Samserganj P.S. Case No.819 of 2024 dated 03.12.2024 under Sections 103/3(5) of the Bharatiya Nyay Sanhita, 2023.

And

In the matter of : Nataki Das @ Natoki Das ... petitioner

Mr. Somnath Adhikary.
...for the petitioner.

Mr. Antarikhya Basu,
Mr. Ratul Ghosh.
...for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. Two other prime accused have been released on bail by the learned Trial Court. According to the statement of a witness made before the learned Magistrate, there was only a scuffle between the present petitioner and the mother of the victim sometime in the morning.

Learned counsel appearing on behalf of the State relies on the case diary, opposes the prayer for anticipatory bail and submits as follows. There are statements of eye-witnesses, which implicate the present petitioner along with the two others and these statements match with the postmortem report.

It does not appear that the statement of the witness referred to by the petitioner throws any light on the severe assault made on the alleged victim. On the other hand, the statements of two other

independent witnesses contained at pages 7 and 8 of the case diary seem to implicate the petitioner and the others.

Considering the materials available in the case diary against the present petitioner, I do not find this to be a fit case to grant anticipatory bail.

The application for anticipatory bail being **CRM(A) 1192 of 2025** is, thus, rejected.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)