

15.05.2025
Court No.28
Item No.5
ssi

CRM (A) 1195 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Chanchal PS Case No. **176 of 2025** dated **17.02.2025** under Sections **137 (2) and 140 (2) and 3(5)** of the BNS 2023.

And

In the matter of: **Anowar Hossain @ Anowarul Ali & others.**

....Applicants/Petitioners.

Mr. Soupal Chatterjee

...for the petitioners

Mr. Anand Keshari

Mr. Akash Ganguly

..for the State

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioner no.1 is a co-villager and the petitioner nos. 3 and 4 are the father and the uncle of the principal accused. The principal accused surrendered before the learned trial Court and is now in custody. Earlier, the application was not pressed on behalf of the petitioner nos. 2 and 5. Incidentally, there was a love relationship between the victim and the principal accused.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail and relies on the case diary. He submits that according to the victim's statement recorded before the learned Magistrate, she was kidnapped by the principal accused and others and was kept confined for some time. The CDR details show that at the relevant time, there was telephonic communication between the petitioner no.1 and the principal accused.

Considering the nature of allegations, the alleged roles ascribed to the petitioner nos.1, 3 and 4 and the fact that the principal accused had surrendered and is in custody, I do not think that custodial interrogation of the petitioners is required in this case.

Accordingly, the prayer for anticipatory bail to the petitioners is allowed.

In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- 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 further conditions that the petitioners shall co-operate with investigation. The petitioner nos. 1 and 3 shall meet the Investigating Officer of the case once a fortnight till submission of charge sheet. The petitioner no. 1 shall stay outside the jurisdiction of Chanchal Police Station for a period of six months from this date, except for attending Court or meeting the Investigating Officer.

It is clarified that the application for anticipatory bail was dismissed as not pressed, so far as the petitioner nos.2 and 5 are concerned.

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

(Jay Sengupta, J.)