

AD 29
April 17, 2025
Ct. 28
SG

Reject

CRM(A) 1224 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Sanhita, 2023 in connection with Sutamata P.S. Case No.21 of 2025 dated 04.02.2025 under Sections 126(2)/115(2)/308(2)/351(2)/3(5) of the BNS.

And

In the matter of: *Sayed Lutful Kabir Ali @ Sayed Lutfar Kabir*
@ Boni and another
... petitioners

Mr. Arnab Chatterjee
Ms. Poulami Bose
Mr. Abhinaba Mukherjee
... for the petitioners.

Mr. Arindam Sen
Mr. Anindya Sundar Chatterjee
... for the State

Learned counsel appearing for the petitioners submits as follows. In 2019, the husband and the father-in-law of the de facto complainant allegedly collected money from the locals on the promise of giving them job. This led to registration of an FIR that ended in a charge-sheet. In 2025, the de facto complainant alleged that the petitioners and the other members of the local club were extorting money and had even taken away a motorcycle and sums after assaulting the petitioners. There was only an attempt to do a "Shalisi". The petitioners have been falsely implicated in this case. Two other accused were granted bail.

Learned counsel for the State opposes the prayer for anticipatory bail. He refers the statement of an independent eyewitness who stated that the petitioners assaulted the victim and took away his motorcycle. Investigation is going on.

When a legal proceeding is going on in respect of the allegations against the father – son duo, it cannot be open to other individuals, however powerful they may be in the locality, to take advantage of the situation with utter disregard of the pending proceeding or allegedly try to extort money.

It is also debatable whether the present case is only about alleged extortion or is it also about an alleged robbery.

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

Accordingly, the application for anticipatory bail is, thus, rejected.

(Jay Sengupta, J.)