

AD 31
April 17, 2025
Ct. 28
SG

Reject

CRM(A) 1226 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Saktipur P.S. Case No.171 of 2024 dated 20.06.2024 under Sections 341/325/326/307/34 of the IPC and Section 9(b) of the Indian Explosive Act.

And

In the matter of: *Jaber Khan*

... *petitioner*

Mr. Arnab Chatterjee
Ms. Poulami Bose

... for the petitioner.

Mr. Ashok Das

... for the State

Mr. Robiul Islam
Mr. Masooq Rahman

... for the de facto complainant

Learned counsel appearing for the petitioner submits as follows. A charge-sheet has been submitted against 14 accused including the petitioner. Some other co-accused are on bail. There is a specific allegation that the victim received injury from a bomb that was hurled by someone else. Even the petitioner was not the one who had hurled bombs at the wife of the prime injured victim.

Learned counsel for the de facto complainant strongly opposes the prayer for anticipatory bail and submits that the petitioner is a habitual offender.

Learned counsel for the State opposes the prayer for anticipatory bail, relies on the case diary and submits as follows. The injured suffered from grievous injury. His right leg had to be amputated. There is a specific allegation that the injured had categorically stated that all the accused including the present petitioner had hurled bombs on them. It may be that the victim received injury from the bomb hurled by another co-accused. There are independent witnesses who corroborated the prosecution case.

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

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

(Jay Sengupta, J.)