

AD 9
May 8, 2025
Ct. 28
SG

Partly Allowed

CRM(A) 1322 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Ratua P.S. Case No.660 of 2024 dated 28.11.2024 under Sections 126(2)/115(2)/117(2)/118(1)/109/3(5)/324(4)/351(2)/74 of the BNS.

And

In the matter of:

Jamirul Hoque and another
... petitioners

Mr. Mrityunjoy Chatterjee
Mr. Imdadul Hoque
... for the petitioners

Mr. Pravash Bhattacharjee
Mr. Akash Ganguly
... for the State

Learned counsel appearing for the petitioners submits that a fight broke out between two groups of villagers. Injuries were suffered on both sides. The petitioner No.2 is the father of the petitioner No.1. Other co-accused were granted anticipatory bail.

Learned counsel for the State relies on the statements of the witnesses and the injury reports. It appears from the statements of witnesses that it was the petitioner No.1 who gave the particular blow on the forehead of one of the witnesses with a spade.

Considering the materials available in the case diary and the roles ascribed to each of the petitioners, while I am not inclined to grant anticipatory bail to the petitioner No.1, I am inclined to grant anticipatory bail to the petitioner No.2.

Accordingly, the prayer for anticipatory bail to the petitioner No.1 (Jamirul Hoque) is rejected.

In the event of arrest, the petitioner No.2 (Enamul Hoque) shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) 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 the further conditions that the petitioner No.2 shall meet the investigating officer once a fortnight till submission of report in final form and shall not threaten or intimidate witnesses.

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

(Jay Sengupta, J.)