

08/05/2025

D/L 11
Ct. No.28
S.Kundu
Allowed

C.R.M.(A) 1355 of 2025

In Re:- An application for anticipatory bail under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023/under Section 438 of the Code of Criminal Procedure. In connection with Criminal Miscellaneous case no. 2154 of 2024 arising out of Pandua P.S case No. 272 of 2013 dated 4.7.13 under Sections 302/34 of the IPC.

In the matter of: Mohammed Reaze Sekh @ Sekh
Mohammed Alam @ Sk. Sabban

... Petitioner

Mr. Md. Mahmud
Mr. S. Mondal

...for the petitioner.

Mr. Ranadeb Sengupta
Ms. Sonali Bhar

...for the State.

1. Report filed on behalf of the petitioner is taken on record.
2. Learned counsel appearing for the petitioner submits as follows. The petitioner was not named in the FIR. Subsequently, it appears, that he was named in the charge-sheet. The petitioner did not know that he had been implicated in the instant murder case. He was working in Mumbai all along. The petitioner wants to join the proceeding now.
3. Learned counsel appearing for the State relies on the case diary and submits as follows. The case is of 2013. But, the trial has not started yet. Till date, no proclamation or attachment has been issued in respect of the present petitioner. While the statements made by the other witnesses appeared to be hearsay in nature so far as the

present petitioner is concerned, the de-facto complainant stated in a further statement that she had seen the petitioner and others in the area sometime before the incident.

4. Considering the nature of allegations and the alleged role ascribed to the present petitioner, I am inclined to grant anticipatory bail to the present petitioner.
5. In the event of arrest, the petitioner 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 further conditions that the petitioner shall not threaten or intimidate witnesses. The petitioner shall appear before the Trial Court and obtain bail within four weeks from date and shall attend the Trial Court on dates fixed.
6. Accordingly, the application for anticipatory bail is allowed.
7. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)