

AD 24
May 5, 2025
Ct. 28
SG

Partly Allowed

CRM(A) 1410 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Labpur P.S. Case No.163 of 2024 dated 23.09.2024 under Sections 329(4)/118(1)/118(2)/109(1)/351(2)/3(5) of the BNS, 2023.

And

In the matter of:

Kamrunnesa Bibi @ Kamrunesh Bibi and others
... petitioners

Mr. Arnab Chatterjee
Mr. Sujoy Sarkar
Ms. Sneha Srivastava

... for the petitioners.

Ms. Shaila Afrin
Mr. Sobhan Gani

... for the State

Learned counsel appearing for the petitioners submits that a scuffle ensued between neighbours. This resulted in injuries. The present petitioner Nos.1 to 3 are the family members and the petitioner No.4 is a 85 years old man. A co-accused has been granted bail.

Learned counsel for the State relies on the statements of witnesses including the injured victim and the injury reports. She submits that one of the injured suffered a fracture in the rib. However, there are allegations against all the accused.

Considering the fact that the petitioner Nos.1 to 3 are the female members and the petitioner No.4 is an 85 years old man and the fact that charge-sheet has been submitted, I am inclined to grant anticipatory bail to the petitioner Nos.1 to 4. However, considering the materials available in the case

diary and the grievous injury suffered by one of the victims, I am not inclined to grant anticipatory bail to the petitioner Nos. 5 to 7.

Accordingly, the application for anticipatory bail of the petitioner Nos.5 to 7 (Saiful Sk. @ Sk. Faijul @ Faijul Sk., Sk. Furhan @ Furkan Sekh @ Furjon Sk. and Sk. Yamin @ Iyasin Sekh) is rejected.

In the event of arrest, the petitioner Nos.1 to 4 (Kamrunnesa Bibi @ Kamrunesh Bibi, Latifa Bibi @ Lathifa Bibi, Firoja Bibi @ Forida Bibi and Sk. Aam Safiullah @ Sk. Adam Safiullah @ Sekh Safiullah) 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 Nos.1 to 4 shall appear before the jurisdictional court on the dates fixed and shall not threaten or intimidate witnesses.

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

(Jay Sengupta, J.)