

14/05/2025

D/L 23
Ct. No.28
S.Kundu
Allowed

C.R.M.(A) 1430 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 Haridevpur police station case no. 406 of 2024 dated 10.7.2024 under Sections 417/376/420/406/506/120B of the IPC.

In the matter of: Md Ziaul Hoque @ Md Ziaul Haque
... Petitioner

Mr. Wasim Akram
Ms. S. Parvin

...for the petitioner.

Ms. Sujata Das
Mr. Dipankar Paramanick

...for the State.

1. Report filed on behalf of the State is taken on record.
2. It appears that the de-facto complainant was served with notice. Yet, no one appears on behalf of the de-facto complainant.
3. Learned counsel appearing for the petitioner submits as follows. The petitioner is a distant relative of the principal accused. The instant case was filed as a counterblast to an earlier proceeding instituted from the end of the principal accused. Earlier the principal accused and the father of the principal accused were granted anticipatory bail by a Division Bench of this Court.
4. Learned counsel appearing for the State relies on the case diary and opposes the prayer for anticipatory bail.

5. Considering the materials available in the case diary and the fact the principal accused and the similarly circumstance co-accused were granted anticipatory bail by this Court, I am inclined to grant anticipatory bail to the present petitioner.
6. 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 cooperate with the investigation and shall not threaten or intimidate witnesses.
7. Accordingly, the application for anticipatory bail is allowed.
8. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)