

02.05.2025
SL.38
Ct.No.28
NB
(Allowed)

CRM (A) 1431 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Arambagh P.S. Case No.68 of 2025 dated 07.02.2025 under Sections 126(2)/115(2)/117(2)/76/303(2)/352/351(2)/3(5) of the Bharatiya Nyay Sanhita, 2023 pending before the learned Additional Chief Judicial Magistrate, Arambagh, Hooghly.

And

In the matter of : Kaji Ashadul Rahaman @ Kaji Ashadul & Anr.
.... petitioners

Mr. Niladri Sekhar Ghosh,
Ms. Sompurna Chatterjee,
Ms. Labani Sikder,
Mr. Souvik Dey.
...for the petitioners.

Mr. Arindam Sen,
Mr. Kaustav Banerjee.
...for the State.

Learned counsel appearing on behalf of the petitioners submits as follows. A fight broke up between the co-owners of properties. The only non-bailable sections are 76 and 303(2) of the BNS.

Learned counsel appearing on behalf of the State relies on the statements of witnesses including the statement of the victim recorded before the Magistrate as also on injury reports.

Considering the nature of allegations and the attending circumstances, I am inclined to grant anticipatory bail to the petitioners although by restricting their movement for a limited period.

Accordingly, in the event of arrest, the petitioners 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 Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioners shall not threaten or intimidate witnesses and shall meet the Investigating Officer once a fortnight till submission of charge sheet, shall cooperate with the investigation and shall stay outside the jurisdiction of Arambagh Police Station for a period of six months from this date except for the purpose of attending the jurisdictional Court or for meeting the Investigating Officer.

The application for anticipatory bail being **CRM(A) 1431 of 2025** is, thus, allowed.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)