

06.05.2025  
Court No.28  
Item No.27  
tbsr  
Allowed

**CRM (A) 1463 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 **Baishnabnagar** P.S. Case No.**443 of 2024** dated **23.05.2024** under Sections **25(1-B)(a)/35** of the Arms Act, 1959.

And

In the matter of: **Jalam Sk. @ Jallu Sk. @ Jalim Sk.**

....Petitioner.

Md. Wasim Akram  
...for the petitioner.

Mr. Prasun Kr. Datta, ld. APP  
Ms. Trina Mitra  
.....for the State.

Learned counsel appearing on behalf of the petitioner submits that a fire arm was allegedly recovered from the principal accused. Against the present petitioner, there is nothing apart from the statement of a co-accused. Charge sheet has been submitted.

Learned counsel appearing on behalf of the State relies on the case diary and refers to the statement of the co-accused. He submits that apart from the co-accused's statement there is hardly any material available in the case diary against the petitioner.

In view of the fact that charge sheet has been submitted and against the petitioner there is no other material available in the case diary except for the statement of a co-accused, I am inclined to grant anticipatory bail to the petitioner.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- 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 further condition that the petitioner shall not threaten or intimidate witnesses and shall appear before the jurisdictional Court and obtain bail within four weeks from this date.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

**(Jay Sengupta, J.)**