

13.05.2025

Item No.DL71
Court No. 28
Asraf, AR(Ct.)

ALLOWED

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION
APPELLATE SIDE

CRM (A) 1551 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 filed in connection with Rampurhat Police Station case no.108 of 2025 dated 12.03.2025 under Sections 126(2), 115(2), 117(2), 118(2), 351(2)(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

-AND-

In the matter of :

1. SAHAMOT SULTAN @ BIKI SK.

2. MD. ALI SEKH @ ALI SEKH

.....Petitioners

For the Petitioners :

Mr. Samrat Banerjee

.....Advocate

For the State :

Mr. Kunal Ganguly

.....Advocate

Learned counsel appearing on behalf of the petitioners submits as follows. A scuffle took place between the adverse parties over a land dispute. There are case and counter-case. A co-accused was granted anticipatory bail by the Sessions Court. Chargesheet has been submitted.

Learned counsel appearing on behalf of the State relies on the case diary and opposes the prayer for anticipatory bail. He refers to the statements of witnesses including the locals and the injury report. However, it appears from the injury report that the injury was simple in nature.

Considering the materials available in the case diary including the injury report, the fact that there are case and counter case and that chargesheet has already been submitted, I am inclined to grant anticipatory bail to the present petitioners.

Accordingly, the petitioners shall be released on bail upon furnishing bonds 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 subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition that they shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and shall attend the jurisdictional Court on the dates fixed.

The application for anticipatory bail being **CRM(A) 1551 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.)