

19/05/2025

D/L 49
Ct. No.28
S.Kundu
Allowed

C.R.M.(A) 1604 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 Hasnabad police station case no. 231/2025 dated 28.4.2025 under sections 126(2)/117/109/76/351(2)/3(5) of the BNS.

In the matter of: Nasiraidin Gazi & Anr.

... Petitioners

Mr. Mujibar Ali Mondal
Mr. Sandip Kr. Mondal

...for the petitioners.

Mr. Sadik Ali Dhali
Mr. N. Dhali

...for the de-facto.

Mr. Anwar Hossain
Ms. N. Chatterjee

...for the State.

1. Learned senior counsel appearing for the petitioners submits as follows. There is a land dispute between the private parties. A person with different political ideology instigating the de-facto complainant to file false case against the petitioners. In fact, there are case and counter-case. Both sides received injuries.
2. Learned counsel appearing for the State relies on the case diary and points to the statements of witnesses and the injury reports. It does not appear that the injuries inflicted were grievous in nature.
3. Considering the materials available in the case diary and the fact that there are case and counter-case, I am inclined to grant anticipatory bail to the petitioners.

4. 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 the Arresting Officer and also be subject to further conditions that the petitioners shall cooperate with the investigation and shall not threaten or intimidate witnesses. The petitioners shall meet the Investigating Officer once a fortnight till submission of report in final form.
5. Accordingly, the application for anticipatory bail is allowed.
6. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)