

21.05.2025
Court No.28
Item No. 28
tbsr
Rejected

CRM (A) 1649 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Baguiati** P.S. Case No. **177 of 2025** dated **14.03.2025** under Sections **126(2)/115(2)/117(2)/118(2)/109/351(2)/3(5)** of the Bharatiya Nyaya Sanhita, 2023 and under Section 25(1)(a) of the Arms Act.

And

In the matter of: **Amit Chakraborty @ Noni & Anr.**

....Petitioners.

Mr. Shashanka Sekhar Saha
...for the petitioners.

Mr. Sanjoy Bardhan
Mr. Arup Sarkar
.....for the State.

Ms. Dona Saha
Ms. Chandrima Debnath
....for the de facto complainant

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners have been falsely implicated in this case due to political rivalry. No grievous injury was inflicted on anyone. Three co-accused were granted bail.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail and submits that the petitioners are habitual offenders in the area and have created a reign of terror.

Learned counsel appearing on behalf of the State relies on the case diary and opposes the prayer for anticipatory bail. He submits that although the injury inflicted was recorded as simple, there are eye-witness accounts that the petitioners in a group threatened and

assaulted the victims. They were carrying pistol. In fact, the petitioner no. 1 has three other criminal cases pending against him including under the Arms Act. The petitioner no. 2 has two criminal cases pending against him including one under the Arms Act.

Considering the serious nature of allegations, the incriminating materials present in the case diary and the fact that petitioners have criminal antecedents, I do not consider this to be a fit case to grant anticipatory bail.

Accordingly, the application for anticipatory bail is rejected.

(Jay Sengupta, J.)