

AD 18
June 30, 2025
Ct. 28
SG

Reject

CRM(A) 1639 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Suri P.S. Case No.459 of 2024 dated 01.10.2024 under Sections 179/318(4)/61(2)/3(5) of the BNS, 2023.

And

In the matter of:

Shahajada Sekh @ Chottu Sk. ... petitioner

Mr. Kunal Ganguly

... for the petitioner

Mr. Rana Mukherjee
Ms. Sudeshna Das

... for the State

Learned counsel for the petitioner submits that his client is not the prime accused and he was granted bail after custody of about seven days. The petitioner is not at all involved in the alleged selling of fake gold coins to the de facto complainant. The petitioner has not been specifically named in the FIR. The petitioner's name transpired only from the statement of the co-accused, which is not admissible in evidence.

Learned counsel for the State relies on the case diary and submits that there were phone calls between the petitioner and the other co-accused. The petitioner was present at the relevant time when the transaction took place. The FIR also

contains reference to his phone number. Investigation is going on.

Considering the incriminating materials available in the case diary, including the FIR and the call detail records and the fact that the investigation is going on, I am not inclined to grant anticipatory bail to the petitioner.

The application for anticipatory bail is, thus, rejected.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)