

03.07.2025
Court No.28
Item No.33
ssi

CRM (A) 1899 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Sainthia PS Case No.**359 of 2024** dated **11.10.2024** under Sections **329 (2)/115(2)/117(2)/109/351(3)/3(5)** of the BNS.

And

In the matter of: **Samsunnehar Bibi @ Nehara @ Nihar & others.**
....Applicants/Petitioners.

Mr. Saryati Datta
Mr. Sanjib Kr. Dan

...for the petitioners

Mr. Sanjay Bardhan
Ms. Baishakhi Chatterjee

..for the State

Heard the learned counsels for the parties.

Perused the case diary.

The injured victim had named all the petitioners as assailants. The neighbours had primarily named the petitioner no.2, his son Roni and daughter in law Nehara Bibi/petitioner no.1 and the others as having helped them in such assault.

It appears that the son of the petitioner no.2 is not before this Court.

Considering the fact that the petitioner no.1 is a female member of the family, she is granted anticipatory bail.

However, considering the incriminating materials available in the case diary and the alleged roles ascribed to each of the petitioners, while the application for anticipatory bail of petitioner nos. 3, 4, 5 and 6 is allowed, the application of petitioner no.2 for anticipatory bail is rejected.

In the event of arrest, the petitioner nos. 1, 3, 4, 5 and 6 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 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 conditions that the petitioners shall not threaten or intimidate witnesses and shall co-operate with investigation. The petitioner nos. 3, 4, 5 and 6 shall meet the I.O. once a fortnight till submission of report in final form.

The application for anticipatory bail is, thus, disposed of.

(Jay Sengupta, J.)