

30.06.2025
Court No.28
Item No. 71
tbsr
Rejected

CRM (A) 1835 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Joynagar** P.S. Case No.**54 of 2025** dated **18.01.2025** under Sections **329(3)/115(2)/117(2)/109/74/351(2)/3(5)** of the Bharatiya Nyaya Sanhita, 2023 and charge sheet submitted under Sections 329(3)/115(2)/117(2)/103(1)/74/351(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: **Sahadul Mondal**

....Petitioner.

Mr. Anshuman Chakraborty

Mr. S. S. Saha

...for the petitioner.

Mr. Saibal Bapuli

Ms. Puspita Saha

.....for the State.

Learned counsel for the petitioner submits as follows. The petitioner is himself a victim of assault by the other side. He had to be treated medical treatment. His brother lodged an FIR which is the first in point of time. In the counter case, it was alleged that the victim received serious injuries. He was treated in a hospital and was discharged. After three days of returning home, he passed away and charge of murder was added. The petitioner is not the principal accused. Two other co-accused were granted bail after arrest.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. She relies on the case diary and submits that the statements of eye-witnesses clearly refer to the present petitioner as one of the assailants.

Considering the incriminating materials available in the case diary, I am not inclined to grant anticipatory bail to the petitioner.

Accordingly, the application for anticipatory bail is rejected.

(Jay Sengupta, J.)