

03/07/2025

D/L 44

Ct. No.28

S.Kundu

Allowed

C.R.M.(A) 1913 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. 256/25 dated 9.5.2025 under Section 126(2)/117(2)/109/76/351(2)/3(5) of the BNS.

In the matter of: Abdul Haque Gazi & Ors.

... Petitioners

Mr. Pradyut Saha
Mr. Nirupam Dhali
Ms. Priya Chakraborty

...for the petitioners.

Mr. Md. Adil Badr
Mr. Akash Ganguly

...for the State.

1. Learned counsel appearing on behalf of the petitioners submits as follows. There are case and counter case. The petitioner is the one who had suffered injury in respect of the first case. The present victim was granted anticipatory bail in the said case.
2. Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail, relies on the case diary and points to the injury report and the statements of the witnesses.
3. Considering the materials available in the case diary and the fact that there are pre-existing disputes between the private parties, I do not think that custodial interrogation of the petitioners is required in this case and 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 the petitioners shall not threaten or intimidate witnesses. The petitioners shall meet the I.O once a week 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.)