

16.07.2025
SL.22
Ct.No.28
NB

CRM (A) 2224 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Arambagh P.S. Case No.226 of 2025 dated 16.04.2025 under Sections 115(2)/ 126(2)/ 132/ 3(5)/ 324(4)/ 325(5)/352 of the Bharatiya Nyaya Sanhita, 2023 pending before the learned Additional Chief Judicial Magistrate, Arambagh.

And

In the matter of: Sk Rakesh @ Sk. Rakesh Ali. & Ors.
...petitioners

Mr. Niladri Sekhar Ghosh,
Mr. Souvik Dey.
...for the petitioners.

Mr. Bidyut Kumar Roy,
Ms. Puspita Saha.
...for the State.

It is submitted on behalf of the petitioners that his client and other cultivators were protesting against a government decision to establish a dumping ground in the area. No grievous injury was caused.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail and refers to the injury report and the statements. The petitioner no.4 pushed a victim by dashing him with his motorbike and assaulted him.

Considering the materials available in the case diary and the alleged roles ascribed to each of the petitioners while I am inclined to grant anticipatory bail to the petitioner no.1((Sk. Rakesh @ Sk. Rakesh Ali), the petitioner no.2 (Sk. Najrul Islam @ Sk. Nojo), the petitioner no.3 (Ahammad Midde) and the petitioner no.5 (Sk. Saddam

Hossain @ Sk. Rana), the application for anticipatory bail of the petitioner no.4 (Sk. Sabir Abbas) is hereby rejected.

Accordingly, in the event of arrest, the petitioner no.1((Sk. Rakesh @ Sk. Rakesh Ali), the petitioner no.2 (Sk. Najrul Islam @ Sk. Nojo), the petitioner no.3 (Ahammad Midde) and the petitioner no.5 (Sk. Saddam Hossain @ Sk. Rana) 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 Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioner nos.1, 2, 3 and 5 shall cooperate with the investigation and shall meet the Investigating Officer once a week till submission of the report in final form and shall not threaten or intimidate witnesses and shall stay outside the jurisdiction of Arambagh Police Station for a period of two months except for meeting the Investigating Officer or attending the jurisdictional Court.

The application for anticipatory bail being **CRM (A) 2224 of 2025** is, thus, partly allowed.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)