

15/07/2025
D/L 50
Ct. No.28
S.Kundu
Partly Allowed

C.R.M.(A) 2228 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 G.R. no. 5992 of 2024 arising out of Lalgola police station case no. 1165 of 2024 dated 3.12.2024 under Sections 126(2)/117(2)/118(2)/110/3(5) of the BNS.

In the matter of: Sodagar Sk @ Sawdagar Sk & Ors.

... Petitioners

Mr. Bani Israil
Mr. Sayed Md. Sayed
Mr. Aranya Basu

...for the petitioners.

Mr. S.S. Imam
Mr. Subham Bhakat

...for the State.

1. Learned counsel appearing for the petitioners submits as follows. There are case and counter case between the parties. Both sides received injuries. Charge-sheets were submitted in both the cases.
2. Learned counsel appearing for the State opposes the prayer for bail. He submits that the petitioner no. 1 had beaten up a five year old boy. Even the other accused assaulted leading to grievous injuries.
3. Considering the materials available in the case diary and the alleged roles ascribed to each of the petitioner, while I am willing to grant anticipatory bail to the petitioner nos. 2 (Tohera Bibi @ Tahera Khatun Bibi) and 3 (Meherun Bibi @ Meherunnesa Bibi), the application for anticipatory bail of the petitioner no. 1 is rejected.

4. In the event of arrest, the petitioner nos. 2 and 3 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 said petitioners shall cooperate with the investigation and shall not threaten or intimidate witnesses. The petitioner nos. 2 and 3 shall appear before the jurisdictional Court within four weeks and pray for bail.
5. Accordingly, the application for anticipatory bail is allowed-in-part.
6. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)