

24.07.2025
Court No.28
Item No.46
ssi

CRM (A) 2315 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Tamluk PS Case No.445 dated 05.06.2025 under Sections 329(4)/115(2)/117(2)/109/324(4)/303(2)/351(2)/189(2)/3(5) of the BNS, 2023.

And

In the matter of: **Sk. Rajab Ali & others.**

....Applicants/Petitioners.

Mr. Arnab Chatterjee
Mr. Abhinaba Mukherjee

...for the petitioners

Md. Anwar Hossain
Mr. Prakash Mishra

..for the State

Learned counsel appearing on behalf of the petitioners submits as follows. There was a scuffle that took place between groups of villagers. There were case and counter case. By an order dated 10.07.2025 passed by a Co-ordinate Bench of this Court in CRM (A) 2052 of 2025, some of the accused were granted bail while application for anticipatory bail was rejected for some others.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. However, he submits that while the eye-witnesses and the victim had specifically taken the names of petitioner nos. 1, 3, 5, 7, 10, 11, 13, 14, 15, 16 and 19, the names of the petitioner nos. 2, 4, 6, 8, 9, 12, 17, 18 were not reflected in such statements.

Considering the materials available in the case diary and the alleged roles attributed to each of the present petitioners, while I am

inclined to grant anticipatory bail to the petitioner nos. 2, 4, 6, 8, 9, 12, 17 and 18, the application for anticipatory bail of the petitioner nos. 1, 3, 5, 7, 10, 11, 13, 14, 15, 16 and 19 is rejected.

In the event of arrest, the petitioner nos. 2, 4, 6, 8, 9, 12, 17 and 18 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 petitioners shall meet the Investigating Officer once a fortnight till submission of report in final form.

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

(Jay Sengupta, J.)