

20/08/2025

D/L 72

Ct. No.28

S.Kundu

Rejected

C.R.M.(A) 2576 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 Jamuria P.S case no. 173/25 dated 16.4.2025 under sections 316(3)/318(4)/61(2)/3(5) of the BNS.

In the matter of: Mohiuddin Midya @ Rahul

... Petitioner

Mr. Supriyo Das

...for the petitioner.

Mr. Aniket Mitra

Mr. Sarthak Mondal

...for the State.

1. Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is only a broker who arranged for truck for transportation. He was in no way connected with the delivery of goods. He has been falsely implicated in this case. One co-accused was granted anticipatory bail by the Sessions Court while the application for anticipatory bail for two others was rejected by this Court.
2. Learned counsel appearing for the State opposes the prayer for anticipatory bail. He submits that the petitioner is standing substantially on a similar footing as one **Sadrul Khan @ Raja** whose application for anticipatory bail was rejected by a coordinate Bench of this Court on 11.8.2025 in CRM (A) 2717 of 2025. Besides, the statement of a co-accused, there are phone

call records of the petitioner with the principal accused.

The petitioner also has a criminal antecedent.

3. Considering the incriminating materials available in the case diary including the phone call records with a co-accused and the criminal antecedent of the petitioner, I do not consider this to be a fit case to grant anticipatory bail to the petitioner.
4. Accordingly, the application for anticipatory bail is rejected.
5. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)