

18.08.2025
Ct. No. 28
Sl. No.50
akd/SG

C. R. M. (A) 2596 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 18.07.2025 in connection with Berhampore Police Station Case No.1596 of 2024 dated 16.10.2024 under Sections 103(1)/3(5) of the Bharatiya Nyaya Sanhita, 2023 read with Sections 25/27 of the Arms Act. (G.R. Case No. 5482 of 2024)

And

In Re: ***Sainuddin Ali***

... .. Petitioner

Mr. Sekhar Kumar Basu .. Sr. Advocate
Mr. Antarikhya Basu
Mr. Sayan Mukherjee
Ms. Madhumita Basak

... .. for the petitioner

Mr. Jaydeep Biswas
Mr. Tapodip Gupta

... .. for the de-facto complainant

Ms. Sreyashee Biswas
Mr. Dipankar Paramanick

... .. for the State

1. Learned senior counsel appearing on behalf of the petitioner submits as follows. The petitioner has been falsely implicated in this case based on the statement of co-accused, which is inadmissible in evidence. The de-facto complainant's uncle was gunned down while doing a morning walk. Two persons were arrested. They were identified. One of the accused namely, Bubai Das has been granted bail.
2. Learned counsel appearing on behalf of the de-facto complainant strongly opposes the prayer for anticipatory bail.
3. Learned counsel appearing on behalf of the State relies on the case diary and submits as follows. Among other things, there are statements of independent witnesses stating that the present petitioner and one Bubai Das had been following the deceased at the time of his

morning walk. According to them, Reiki was done and these accused must have intimidated the actual perpetrators to do the job.

4. Considering the incriminating materials available in the case diary, especially the statements of independent witnesses, I do not consider this to be a fit case for granting anticipatory bail.

5. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

(Jay Sengupta, J.)