

AD 37
November 12, 2025
Ct. 28
SG

Allowed

CRM(A) 2603 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Islampur Police Station Case No.1113 of 2024 dated 13.11.2024 under Sections 420/406/34 of the IPC.

And

In the matter of:

Md. Habibur Rahman @ Hababul Rahaman and others
... petitioners

Mr. Niladri Sekhar Ghosh
Md. Nazar Chowdhury
Ms. Priyanka Saha
Ms. Sompurna Chatterjee
Mr. Labani Sikder
Mr. Souvik Dey

... for the petitioners

Mr. Kaushik Kundu
Ms. Puja Goswami

... for the State

Report filed by the State is taken on record.

Video recording kept in a pen drive is also taken on record.

Learned counsel for the petitioners submits that the dispute is civil in nature. The petitioners paid substantial portion of the alleged dues to the de facto complainant, without prejudice.

Learned counsel for the State opposes the prayer for anticipatory bail and relies on the case diary. Further statement of the victim mentioned that he has received a sum of Rs.30,000/-, but he has not settled the matter.

Considering the materials available in the case diary and the fact that subsequent part payment made by the petitioners without prejudice, I am inclined to grant anticipatory bail to the petitioners.

In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) 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 the further conditions that the petitioners shall cooperate with the investigation, shall meet the investigating officer once a fortnight till submission of report in final form and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Personal appearance of the investigating officer is noted and dispensed with.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)