

AD 11
November 19, 2025
Ct. 28
SG

Allowed

CRM(A) 2608 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.105 of 2025 dated 04.02.2025 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
Ms. Labani Sikder
Mr. Souvik Dey

... for the petitioners

Mr. Kaushik Kundu
Ms. Rajashree Tah

... for the State

Mr. Mujibar Ali Naskar
Md. Habibur Rahman

... for the de facto complainant

Report filed by the State is taken on record.

Learned counsel for the petitioners submits that the dispute in question is purely civil in nature. Yet, without prejudice, the petitioners have paid some amount and are in the process of paying the rest.

Learned counsel for the de facto complainant submits that a portion of the dues has already been paid and the de facto complainant does not have any objection if anticipatory bail is granted to the petitioners.

Learned counsel for the State opposes the prayer for anticipatory bail and submits that no payment has been made yet and a prima facie case is clearly made out.

Considering the materials available in the case diary, the fact that the petitioners have made some payments without prejudice during pendency of the application and in view of the submissions advanced on behalf of the respective parties, 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, 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.

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

(Jay Sengupta, J.)