

14.08.2025
Sl. No.38
NB

C.R.M. (A) 2626 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Chanchal P.S. Case No.409 of 2025 dated 04.04..2025, (Corresponding G.R. No.-1130 of 2025) under Sections 137(2)/140(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Sajjad Ali

... petitioner

Mr. Kallol Mondal Sr.Adv.,
Mr. Krishan Ray,
Mr. Souvik Das,
Ms. Shivani Agarwal.
...for the petitioner.

Mr. Bitashok Banerjee,
Mr. Dipankar Paramanick.
...for the State.

Mr. Amanul Islam,
Mr. Sourav Mukherjee,
Mr. Gourav Roy.
...for the de facto complainant.

Learned senior counsel representing the petitioner submits that the prime accused has already been granted bail upon the victim resiling from the FIR and making statements before the learned Sessions Court. The petitioner was only the alleged driver of the vehicle in question.

Learned counsel appearing on behalf of the de facto complainant submits that his client would not have any objection if the anticipatory bail is granted to the present petitioner.

Learned counsel appearing on behalf of the State relies on the case diary, opposes the prayer for anticipatory bail and submits that the petitioner took active role in the abduction and was the

driver and the owner of the vehicle in question. However, charge sheet has been submitted.

Considering the incriminating materials available in the case diary including the statement of the victim recorded before the learned Magistrate at the earliest point, I do not consider this to be a fit case for granting anticipatory bail to the petitioner.

The application for anticipatory bail being **C.R.M. (A) 2626 of 2025** is, thus, rejected.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)