

28.08.2025

SL.46

Ct.No.28

NB

CRM (A) 2702 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 Uttar Kashipur P.S. Case No.35 of 2025 dated 14.04.2025 under Sections 61(2)/121(2)/191(2)/191(3)/190/221/224/121(1)/121(2)/132/109/324(6)/326(f)/352/351(3) of the Bharatiya Nyaya Sanhita, 2023 read with Section 34 of the Prevention of Damage to Public Property Act and under Sections 8/9/15(A)/15(B) of the WBMPO Act.

And

In the matter of: Rahinur Hak Molla & Ors.

... petitioners

Mr. Pronojit Roy,
Mr. Ashutosh Mandal.
...for the petitioners.

Mr. Arindam Sen,
Mr. Santanu Deb Roy.
...for the State.

Heard the learned counsels for the parties.

Perused the case diary.

It is the prosecution case that the unruly members of a political party namely the AISF caused damage to property, assaulted police personnel with brickbats and the like resulting in serious injuries on vital parts of the body of some such personnel.

However, upon enquiry, learned counsel appearing on behalf of the State upon instruction from the Investigating Officer of the case submits that there is no statement of any witness who had seen the present petitioners throw any brickbats.

Considering the materials available in the case diary and the alleged role ascribed to each of the petitioners, I do not think that

custodial interrogation of the petitioners is required in this case and I am inclined to grant anticipatory bail to the petitioners.

Accordingly, in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioners shall cooperate with the investigation and shall not threaten or intimidate witnesses and the petitioners shall meet the Investigating Officer once a fortnight till submission of report in final form.

The application for anticipatory bail being **CRM (A) 2702 of 2025** is, thus, allowed.

The presence of the Investigating Officer is noted and is dispensed with.

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.)