

11.08.2025
Item No.11
Ct. No. 446
PG

C.R.M.(A) 2717 of 2025

In Re:- An application for anticipatory bail under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Jamuria** Police Station Case No. **0173** of **2025** dated **16.04.2025** under Sections **316(3)/ 318(4))/61(2)/3(5)** of the Bharatiya Naya Sanhita, pending before the Court of the Learned Chief Judicial Magistrate, Paschim Bardhaman at Asansol.

And

In the matter of : Sadrul Khan @ Raja. petitioner

Mr. Avik Ghatak
Mr. Farhad Imam
....for the petitioner

Ms. Faria Hossain
Mr. Anindya Sundar Chatterjee
....for the State

1. It is submitted by the learned advocate for the petitioner that he was only accompanying the original driver and the co-accused viz., Sk. Musaraf @ Suraj has been granted anticipatory bail by the learned Chief Judicial Magistrate on 16.05.2025. It is further submitted that one of the co-accused viz., Ramesh Singh was also granted anticipatory bail by the learned Sessions Judge, Paschim Bardhaman on 20.05.2025, however, the prayer for anticipatory bail of the petitioner viz., Sadrul Khan @ Raja was rejected by the learned Sessions Judge, Paschim Bardhaman on 09.06.2025. He is innocent and has been falsely implicated.
2. On the other hand, Prosecution raises strong objection.

3. Heard the submissions of both the learned advocates.
4. Perused the materials in the case diary.
5. On careful consideration of the materials in the case diary and the contents of the F.I.R. coupled with the statement made under 180 BNSS it is seen by the various witnesses that there were four drivers who were allotted the duty since the vehicle was to reach upto Assam.
6. On further perusal of the statement made by other driver, certain incriminating materials are found against the present petitioner, which involves theft of 9 MT of MS Pipe. Therefore, as the investigation is still going on and unless the custodial interrogation of the present petitioner is made, filing of the complaint for the purpose of investigation may be frustrated.
7. In that view of the matter, this Court deems it fit not to extend the benefit of section 482(2) of BNSS to the present petitioner. Hence the prayer for anticipatory bail is rejected.

(Chaitali Chatterjee (Das), J.)