

11.08.2025
Item No.12
Ct. No. 446
KS

C.R.M. (A) 2718 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Burwan** Police Station Case No.381 of 2024 dated 14.08.2024 under Sections 126(2)/ 117(2)/ 118(2)/ 109/ 61(2)/3(5) of the B.N.S. 2023.

And

In the matter of: **Ser Jamil Sekh @ Rajesh & Anr.**

..... Petitioners

Ms. Minati Gomes

Md. Hafiz Ali

....For the Petitioners

Mr. S. S. Imam

Ms. Rita Datta

....For the State

1. Heard the submission of both the learned advocates appearing on behalf of the petitioners as well as for the prosecution.
2. Perused the Case Diary.
3. On a careful consideration of the contents of the First Information Report, the statements of various witnesses recorded under Section 180 of the B.N.S.S. and the injury report as appearing at page 74 of the Case Diary, which shows the nature of injury as 'grievous' and more specifically, the overact so far the petitioner no.1 is concerned, this Court finds no reason to extend the benefit of Section 482 of the B.N.S.S. in favour of the petitioner no.1 and the same stands rejected.
4. So far as the petitioner no.2 is concerned, in absence of any such overact and/or any such incriminating material for custodial interrogation, the prayer of the petitioner no.2 stands allowed.
5. Accordingly, this Court is inclined to grant anticipatory bail to the petitioner no.2 subject to fulfillment of certain conditions other than

compliance of the conditions laid down in Section 482(2) of the B.N.S.S.

6. Accordingly, in the event of arrest, the petitioner no.2 shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 482(2) of the B.N.S.S. and on further condition that the petitioner no.2 shall meet the Investigating Officer once in a month till the conclusion of investigation and on condition that the petitioner no.2 shall appear on every date before the jurisdictional Court on the dates fixed for appearance and in default, the jurisdictional Court will pass appropriate order to secure the presence of the petitioner no.2 in Court.
7. Thus, the application for anticipatory bail in respect of petitioner no.2 is allowed.
8. Accordingly, the application being, **C.R.M. (A) 2718 of 2025** stands disposed of as allowed in part.
9. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.
10. Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(CHAITALI CHATTERJEE (DAS), J.)