

28/08/2025

D/L 78

Ct. No.28

S.Kundu

Allowed

C.R.M.(A) 2800 of 2025

In Re:- An application for anticipatory bail under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023/under Section 438 of the Code of Criminal Procedure. In connection with G.R case no. 2910 of 2024 arising out of Ratua police station case no. 541 of 2024 dated 4.10.2024 under section 103(1) of the BNS.

In the matter of: Mir Samser Ali & Anr.

... Petitioners

Mr. Amit Ranjan Pati
Mr. sunayan Ghosh
Ms. Swastika Chowdhury
Mr. K. Kubra
Mr. Arijit Chatterjee
Mr. Arish Goswami

...for the petitioners.

Mr. Anand Keshari
Mr. Debarshi Brahma

...for the State.

1. Heard the learned counsels for the parties.
2. Perused the case diary.
3. While eye-witnesses have stated about a scuffle resulting in the victim getting excited and falling near an electric pole and getting injured, the post-mortem clearly records that there was no external or internal injury on the dead body and the death was due to the disease condition of organs as noted. Death was due to natural causes.
4. Considering the above and the other materials available in the case diary, I am inclined to grant anticipatory bail to the present petitioners.

5. 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 the Arresting Officer and also be subject to further conditions that the petitioners shall cooperate with the investigation and shall not threaten or intimidate witnesses. The petitioner shall meet the I.O once a fortnight till submission of report in final form.
6. Accordingly, the instant application for anticipatory bail is allowed.
7. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)