

10.09.2025
Court No.28
Item No.33
tbsr
Reject

CRM (A) 2823 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Thanarpara** P.S. Case No. **218 of 2025** dated **18.07.2025** under Sections **329(3)/64/62** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Sadiful Sk. @ Sadiful Sekh

....Petitioner.

Mr. Abdul Aziz Mondal
...for the petitioner

Mr. Binay Kumar Panda
....for the State

Affidavit of service filed on behalf of the petitioner is taken on record.

Report filed on behalf of the State is also taken on record.

Despite service, no one appears on behalf of the alleged victim.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the next door neighbour of the victim. The petitioner has been falsely implicated in this case due to dispute over common passage.

Learned counsel appearing on behalf of the State strongly opposes the prayer for anticipatory bail. He relies on the statement of the victim recorded before the learned Magistrate and the statement of two neighbours who saw the petitioner/assailant flee away from the spot.

Considering the incriminating materials available in the case diary including the statements of the victim recorded before a learned Magistrate and the statements of neighbours who were immediate post occurrence witnesses, I do not consider this to be a fit case for granting anticipatory bail.

Accordingly, the application for anticipatory bail is rejected.

(Jay Sengupta, J.)