

10.09.2025
Court No.28
Item No.45
ssi

CRM (A) 2835 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Gazole PS Case No.**977 of 2024** dated **01.11.2024** under Sections **103 (1), 238, 3(5)** of the BNS, 2023.

And

In the matter of: **Sumon Islam**

....Applicant/Petitioner.

Mr. Arun Kumar Mohanty
Mr. Sagar Saha
Ms. Nayana Mukhopadhyay
Mr. R. R. Mohanty
Ms. S. Ghosh
Ms. P. Chowdhury
Ms. A. Bajpai
Ms. R. Majumder

...for the petitioner

Mr. Soumik Ganguly
Mr. Sharequl Haque

..for the State

Learned senior counsel appearing on behalf of the petitioner submits as follows. The petitioner has been falsely implicated in this case. Actually there was an accident by which the petitioner had hit a tree. On such impact, the tree fell on someone who died. It is categorically denied that the petitioner was drunk.

Learned counsel appearing on behalf of the State strongly opposes the prayer for anticipatory bail. He relies on case diary and refers to the statements of the witnesses, the post mortem report and the like. He submits that the petitioner was drunk and was driving his car rashly. He first hit the victim who died. His head was separated from his body. Thereafter the car hit the tree. There are statements of witnesses who attended a picnic along with the present

petitioner. They stated that they went for buying bottles of liquor and the petitioner got drunk. After that, he drove the car. Had the petitioner not fled away from the scene and submitted to the authority of the police, it could have been tested whether he was actually drunk or not, but the petitioner decided to abscond.

Considering the incriminating materials available in the case diary, I do not consider this is to be a fit case for granting anticipatory bail.

Accordingly, the application for anticipatory bail to the petitioner is rejected.

(Jay Sengupta, J.)