

31.10.2025
Court No.28
Item No.27
ssi

CRM (A) 2955 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Chopra Police Station Case No. 648 of 2023 dated **27.08.2023** under Sections 341/323/324/379/506/34 of the Indian Penal Code read with Section 3 (i) (x) of the SC & ST (Prevention of Atrocities) Act, 1989.

And

In the matter of: **Enamul Haque @ Anamul Haque & another.**

....Applicants/Petitioners

Mr. Arnab Chatterjee
Mr. Jisan Iqubal Hossain

...for the petitioners

Ms. Shaila Afreen
Ms. Suruchi Saha

..for the State

Learned counsel appearing on behalf of the petitioners submits that no prima facie case is made out against the petitioners. They are absolute innocent. In respect of two other co-accused, this Court on 19.10.2023 in CRM (A) 4810 of 2023, while not entertaining the prayer for anticipatory bail, disposed of the application by directing that the petitioners would be released on interim bail by the learned Special Court on the same day when the petitioners surrendered in the said case.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. She submits that a prima facie case is clearly made out. Therefore, no application for anticipatory bail can be entertained and no relief can be granted in the nature of anticipatory bail.

It appears that a prima facie case is made out against the petitioners. As such, an application for anticipatory bail would not be maintainable.

Accordingly, the application for anticipatory bail is rejected.

However, in view of the earlier order passed by this Court, the petitioners shall be at liberty to surrender before the learned Special Court and pray for bail, which shall then be considered in accordance with law.

Personal appearance of the Investigating Officer is noted and is dispensed with.

(Jay Sengupta, J.)