

AD 22
November 3, 2025
Ct. 28
SG

Allowed

CRM(A) 2975 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Arambagh Police Station Case No.361 of 2025 dated 06.07.2025 under Sections 115(2)/117(2)/118(2)/126(2)/3(5)/351(2)/352/76 of the BNS, 2023.

And

In the matter of:

*Kaji Abdul Salam @ Kazi Abdul Salam and another
... petitioners*

Mr. Shounak Mondal
Ms. Preetu Choudhury
Mr. Moinuddin Mondal

... for the petitioners

Mr. Sandip Chakraborty
Mr. Rahul Ganguly

... for the State

Report filed by the State is taken on record.

Learned counsel for the petitioners submits that the petitioner No.1 is 75 years old grandfather of the petitioner No.2. The petitioner No.2, on the other hand, has a disability in his leg and cannot even move properly. It is incredulous that any of the two petitioners could have been involved in the alleged crime. Other co-accused have been granted anticipatory bail by the Sessions Court.

Learned counsel for the State opposes the prayer for anticipatory bail and refers to the statements and the injury report. He points to the report filed and submits that the disability certificate of the petitioner No.2 is genuine.

Considering the materials available in the case diary, the alleged roles ascribed to the present petitioners, the fact that the petitioner No.1 is a septuagenarian and the petitioner No.2 is specially able and that some other co accused have been granted anticipatory bail, I am inclined to grant anticipatory bail to the petitioners.

In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) 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 the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and on the further conditions that the petitioners shall cooperate with the investigation, shall meet the investigating officer as and when required and the petitioners shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)