

17.09.2025
Court No.28
Item No. 53
tbsr
Allowed

CRM (A) 2992 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023/Section 438 of the Cr.P.C., 1973 in connection with **Samsherganj** P.S. Case No.**136 of 2024** dated **05.03.2024** under Sections **286/307/34** of the Indian Penal Code.

And

In the matter of: Rekaul @ Rekaul Sk.

....Petitioner.

Mr. Kushal Kr. Mukherjee
Ms. Pranidhi Singh
...for the petitioner.

Mr. Aniket Mitra
Mr. Atanu Ghosh
.....for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner claims parity with other similarly circumstanced accused who were granted anticipatory bail by a Division Bench of this Court on 17.01.2025 in CRM (A) 204 of 2025.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. However, he submits that the petitioner stands quite on the same footing as other accused who were granted anticipatory bail, except for the fact that the petitioner has been absconding for more length of time.

Considering the above, the materials available in the case diary, the fact that substantially similarly circumstanced co-accused were granted anticipatory bail by this Court earlier and the fact that charge sheet has been submitted, I am inclined to grant anticipatory bail to the petitioner.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- 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 further condition that the petitioner shall not threaten or intimidate witnesses and shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)