

AD 44
September 18, 2025
Ct. 28
SG

Allowed

CRM(A) 3009 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Chandipur P.S. Case No.118 of 2025 dated 21.03.2025 under Sections 115(2)/117(2)/329(3)/351(2)/64/76/3(5) of the BNS, 2023.

And

In the matter of:

Murshad Khan @ Raj

... petitioner

Mr. Surajit Basu
Ms. Jasika Alam

... for the petitioner

Mr. S.S. Imam
Mr. Mujibar Ali Naskar

... for the State

Mr. Debatom Das
Mr. Tirupati Mukherjee

... for the de facto complainant

Learned counsel for the petitioner submits that there was an FIR lodged by the petitioner against the de facto complainant in December, 2024. As a counterblast and due to previous grudge, the present FIR has been registered through an application filed before a learned Magistrate.

Learned counsel for the State opposes the prayer for anticipatory bail, relies on the case diary and points to the statement of the victim recorded before the learned Magistrate, the injury report and the statements of neighbours. Although in the statement of the victim before the learned Magistrate, she stated that the petitioner had given a blow on her head, medical examination does not show any such injury. The neighbours have stated that

hearing a hue and cry they came to the place and saw that two families were fighting. They were not aware of any other incident.

Learned counsel for the de facto complainant strongly opposes the prayer for anticipatory bail.

Considering the materials available in the case diary, including a statement of the victim, the medical report and the statements of neighbours and the fact that a charge-sheet has been submitted in this case, 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/- (rupees ten thousand) 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 petitioner shall appear before the trial court and pray for bail within four weeks from this date and 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.)