

06.11.2025
Sl. No.14
Ct. 28
NB

CRM (A) 3107 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Baishnabnagar PS Case No.528/2025 dated 07.05.2025 under Sections 179/180/61(2) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Kayam @ Kayum Reza ... petitioner

Mr. Kazi M. Rahmen
...for the petitioner.

Mr. Sanjoy Bardhan,
Mr. Amanul Islam.
...for the State.

Learned counsel appearing on behalf of the petitioner submits that other than the statement of a co-accused, which is inadmissible in evidence, there is no other incriminating material available against the present petitioner. The petitioner has been falsely implicated in this case.

Learned counsel appearing on behalf of the State files a report, which is taken on record and submits as follows. There is no phone conversation between the petitioner and the accused that could be found. There is no criminal antecedent of the petitioner either. The question of money transaction could not be ascertained as no other documents or even phone numbers of the petitioner was made available.

Considering the materials available in the case diary, the fact that the only material available against the petitioner is the statement of a co-accused and the fact that charge sheet has been

submitted, I am inclined to grant anticipatory bail to the present petitioner.

Accordingly, 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 Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioner shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and the petitioner shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date and shall regularly attend the jurisdictional Court.

The application for anticipatory bail is, thus, disposed of.

The presence of the Investigating Officer is noted and is dispensed with.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)