

27/10/2025
D/L – 33
Court No.28
S. Kundu
Partly Allowed

C.R.M.(A) 3183 of 2025

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Mothabari police station case no. 620 of 2025 dated 24.7.2025 under sections 109/118(2)/126(2)/3(5) of the BNS.

In the matter of: Asraful Sk @ Md. Asraful Hoque & Ors.

...Petitioners.

Mr. Arnab Chatterjee
Mr. Avik Ghosh

...for the petitioners.

Mr. Ramdulal Manna
Mr. Sayan Mukherjee

...for the de-facto complainant.

Mr. Binoy Kr. Panda
Mr. Parvej Anam

...for the State.

1. Learned counsel for the petitioners submits that the petitioner no. 7 has already been arrested. As such, his prayer for anticipatory bail is not pressed.
2. Accordingly, the application for anticipatory bail is dismissed as not pressed so far as the petitioner no. 7 is concerned.
3. Learned counsel appearing on behalf of the petitioners further submits as follows. There is a long standing land dispute between private parties. There are case and counter case. In the counter case started by the present petitioners, all accused were granted anticipatory bail.
4. Learned counsel appearing for the de-facto complainant strongly opposes the prayer for anticipatory bail and

submits that grievous injuries were suffered by two victims.

5. Learned counsel appearing for the State opposes the prayer for anticipatory bail and relies on the injury reports and the statements of victim and other witnesses.
6. Considering the nature of allegations and the materials available in the case diary and the alleged role ascribed to each of the petitioners, although I am inclined to grant anticipatory bail to the petitioner nos. 2, 3, 4, 5, 8, 9 and 10 (Sariful Sk @ Md. Sariful Hoque, Alim Sk @ Md. Alim Sk., Golam sk @ Md. Golam Mohiuddin, Sabiul Sk @ Sabiul Hoque, Ahammad Sk @ Md. Ahammad, Anjuma Bibi @ Md. Nabiuyul Haque and Ajam sk @ Md. Ajam Sekh), the application for anticipatory bail of the petitioner nos. 1 and 6 is rejected.
7. In the event of arrest, the petitioner nos. 2, 3, 4, 5, 8, 9 and 10 shall be released on bail upon furnishing a bond of Rs.10,000/- 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 further conditions that the said petitioners shall cooperate with the investigation and shall not threaten or intimidate witnesses. The petitioner nos. 2, 3, 4, 5, 8, 9 and 10 shall meet the Investigating Officer once a week till submission of report in final form.

8. Accordingly, the application for anticipatory bail is allowed-in-part.
9. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)