

29.10.2025

Court No.28

Item.46

D/L

(Srimanta/
Mithun)

CRM(A)/3254/2025

In the matter of: **Md. Mabud Bokhs**

.....petitioner

In Re : An application for anticipatory bail under Section 482 of the BNSS, 2023 in connection with Dalkhola Police Station Case No.219/2025 dated 23.07.2025 under Sections 310(2) of the BNSS read with Sections 25(i)(a)/27/35 of the Arms Act, presently pending before the learned Additional Chief Judicial Magistrate, Islampur Court, Islampur, Uttar Dinajpur (corresponding to G.R. No.2483/2025).

Mr. Sagar Saha,
Ms. Nayana Mukhopadhyay

...for the petitioner.

Ms. Sonali Das,
Ms. Chandreyi Dutta

...for the State.

Learned Counsel appearing on behalf of the petitioner submits as follows. The only incriminating material available against the petitioner in this case is the statement of the co-accused, which is not admissible in evidence. It is alleged that as per statement of a co-accused, the stolen articles were sold at the shop of the petitioner.

Learned Counsel appearing on behalf of the State strongly opposes the prayer for anticipatory bail and relies on the statements of witnesses and the seizure list. The seizure list shows seizure of

two while coloured HBL VRLA battery and one spout assemble accessory.

Considering the materials available in the Case Diary, the alleged role ascribed to the present petitioner and the fact that there is no intrinsic mark apparent on the seized articles that would preclude the chance of being dealt with ordinarily as second hand material, I do not think that custodial interrogation of the petitioner is required in this case and I am inclined to grant anticipatory bail to the 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 BNSS and on further condition that the petitioner shall cooperate with the investigation and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever. The petitioner shall meet the Investigating Officer once in a week and shall surrender before the Learned jurisdictional Court and pray for bail within four weeks from this date.

The application for anticipatory bail being C.R.M(A) 3254 of 2025 is, thus, allowed.

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.)