

31.10.2025
Sl. No.64
NB

CRM (A) 3266 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 Hariharpara P.S. Case No.309/2025 dated 27.05.2025 under Sections 109/118(2)/190/191(2)/191(3) of the Bharatiya Nyaya Sanhita 2023 and under Section 9B of the Indian Explosive Act and under Section 25/27 of the Arms Act.

And

In the matter of: Kamal Sk & Anr.

... petitioners

Mr. Arnab Chatterjee,
Mr. Avik Ghosh,
Mr. Ankusha Ghosh.
...for the petitioners.

Mr. ImranAli,
Ms. Puspita Saha.
...for the State.

Learned counsel appearing on behalf of the petitioners submits that the petitioner no.1 has been arrested. As such, the application for anticipatory bail is not pressed.

Accordingly, the application for anticipatory bail is dismissed as not pressed so far as the petitioner no.1 is concerned.

Learned counsel appearing on behalf of the petitioners submits as follows. The police had suo motu started an FIR against 53 named accused including the present petitioner. However, the petitioner is not one of the principal accused. He is absolutely innocent and has been falsely implicated in this case.

Learned counsel appearing on behalf of the State strongly opposes the prayer for anticipatory bail. He refers to the injury report and the statement of the victim and other witnesses. Although, the victim did not specifically take the name of the petitioner no.2 as one of the assailants among so many there was a

local eye-witness who had taken his name. The injury report shows inflicting of a bullet injury. Investigation is going on.

Considering the incriminating materials available in the case diary including the statements of witnesses, the injury report and the fact that investigation is going on, I do not consider this to be a fit case for granting anticipatory bail to the petitioner no.2.

The application for anticipatory bail being **CRM (A) 3266 of 2025** is, thus, rejected.

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.)