

AD 56
November 11, 2025
Ct. 28
SG

Partly Allowed

CRM(A) 3362 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Mothabari P.S. Case No.573 of 2025 dated 08.07.2025 under Section 126(2)/117(2)/118(2)/109/324(4)/3(5) of the BNS, 2023.

And

In the matter of:

Iliyas Sekh @ Dona Sk and others
... petitioners

Mr. Arup Kumar Bhowmick
... for the petitioners

Ms. Sukanya Bhattacharya
Ms. Suveni Banerjee
... for the State

Heard learned counsels for the parties.

Perused the case diary.

It appears that there are case and counter case over a fight between the private parties. The petitioners had suffered grievous injury and were admitted in hospital for sometime. However, it also appears that the present victim also suffered cut injury and serious injury on the scalp. Some of the accused were arrested.

Considering the above and other materials available in the case diary and the fact that the petitioner No.1 received severe injuries while I am inclined to grant anticipatory bail to the petitioner No.1, the application for anticipatory bail of the petitioner Nos.2 and 3 (Serajul Sekh @ Una Sk. and Saltu Sekh) is rejected.

In the event of arrest, the petitioner No.1 (Iliyas Sekh @ Dona Sk.) 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 No.1 shall cooperate with the investigation, shall meet the investigating officer once a fortnight till submission of report in final form and shall not threaten or intimidate witnesses.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)