

11.11.2025
Sl. No.65
Ct. 28
NB

CRM (A) 3372 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 Kaliachak PS Case No.1077/2025 dated 17.06.2025 under Sections 329(4)/324(4)/109/304(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023 read with Sections 25(1-B)(a)/27/29 of the Arms Act, 1959 read with Sections 3 of the Explosive Substances Act, 1908.

And

In the matter of: Hayat Sk @ Md. Hayat Sk & Anr. ... petitioners

Ms. Shalini bairagi,
Mr. Priyankar Ganguly.
...for the petitioners.

Ms. Faria Hossain,
Ms. Mausumi Sarkar.
...for the State.

Learned counsel appearing on behalf of the petitioners submits as follows. The application for anticipatory bail is not pressed so far as the petitioner no.1 is concerned as he has been already arrested. 12 other co-accused were granted anticipatory bail by the Sessions Judge. The petitioners have been falsely implicated in this case.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. However, she admits that there is no injury report present in the case diary. Nor is there any seizure list for seizure of any articles like remnants of bombs from the locale.

Considering the above and the other materials available in the case diary, while the application for anticipatory bail of the

petitioner no.1 is dismissed as not pressed, the application for anticipatory bail of the petitioner no.2 (Dilip Khan) is allowed.

Accordingly, in the event of arrest, the petitioner no.2 (Dilip Khan) 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 no.2 (Dilip Khan) shall cooperate with the investigation and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and shall meet the Investigating Officer once a week till submission of report in final form.

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

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.)