

11.11.2025
Sl. No.70
Ct. 28
NB

CRM (A) 3378 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 Mothabari PS Case No.506/2025 dated 16.06.2025 under Sections 137(2)/140(3)/106/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Erfan Habib Mahaldar @ Irfan Mahaldar
... petitioner

Mr. Abhishek Chakraborty,
Mr. Musharraf Alam Sk.
...for the petitioner.

Mr. Ranabir Roy Choudhury,
Mr. Mujibar Ali Naskar.
...for the State.

Heard the learned counsels for the parties.

Perused the case diary.

It appears from a statement of a friend of the minor victim that the said alleged victim had asked the witness to go out on a trip. During the same, the car carrying the petitioner, the witness, the accused and others met with an accident and the victim succumbed to her injuries.

Considering the materials available in the case diary and the alleged role ascribed to the present petitioner, 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 Bharatiya Nagarik Suraksha Sanhita 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 and shall meet the Investigating Officer once a fortnight 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.)