

14/11/2025
D/L - 26
Court No.28
S. Kundu
Rejected

C.R.M.(A) 3396 of 2025

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Tapan P.S. Case no. 60 of 2025 dated 29.1.2025 under Sections 126(2)/115(2)/117(2)/118(2)/109/74/351(3)/3(5) of the BNS.

In the matter of: Rafiuddin Sarkar @ Rafiuddin Molla & Ors.

...Petitioners.

Mr. Biswajit Manna

...for the petitioners.

Mr. Debabrata Chatterjee

Ms. Sima Biswas

...for the State.

1. Learned counsel appearing on behalf of the petitioners submits as follows. There was a fight that broke out between neighbours and the relatives. Injuries were suffered on both sides. Four other co-accused were granted anticipatory bail by a coordinate Bench of this Court on 29.7.2025 in CRM(A) 2057 of 2025.
2. Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statement of an injured witness contained at page 206 of the case diary. It specifically takes the names of the present petitioners as the assailants. The corresponding medical document shows cut injury extending deep towards the spinal cord. There were other victims who were also seriously wounded.

3. It appears that the anticipatory bail was granted to some other accused in this case with a finding that there was no specific role assigned to them and it was also taken into consideration that the accused were ladies of around 50 years of age. The case of the petitioners is, therefore, quite distinguishable.
4. Considering the incriminating materials available in the case diary including the statements of witnesses and the medical documents, I do not consider this to be a fit case to grant anticipatory bail to the petitioners.
5. Accordingly, the application for anticipatory bail is rejected.
6. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)