

26/11/2025
D/L - 43
Court No.28
S. Kundu
Allowed

C.R.M.(A) 3638 of 2025

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Habibpur P.S Case no. 96 of 2025 dated 7.3.2025 under sections 303(2)/317(2)/317(4)/3(5) of the BNS.

In the matter of: Emarul Sk @ Emarul Sekh & Anr.

...Petitioners.

Mr. T. Gupta

...for the petitioners.

Mr. Anand Keshari

Mr. Kaustav Banerjee

...for the State.

1. Heard the learned counsels for the parties.
2. Perused the case diary.
3. The prosecution case appears to be that the petitioner is the owner of the motor bike from which eight number of mobile phones were seized.
4. No notice appears to have been given by the Investigating Officer to the present petitioner.
5. Considering the above and the materials available in the case diary and the fact that the articles in question have already been seized, I do not think that custodial interrogation of the petitioners is required in this case and I am inclined to grant anticipatory bail to the petitioners.
6. In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each 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 further conditions that the petitioners shall cooperate with the investigation and shall not threaten or intimidate the witnesses. The petitioners shall meet the I.O once a week till submission of report in final form.

7. Accordingly, the application for anticipatory bail is allowed.
8. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)