

17.12.2025
Court No.28
Item No.20
tbsr
Allowed

CRM (A) 3748 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Pandua** P.S. Case No.**675 of 2025** dated **10.09.2025** under Sections **318(4)/316(2)/351(2)/115(2)** of the Bharatiya Nyaya Sanhita, 2023.
And

In the matter of: **Azhraul Islam @ Azhraulislam & Ors.**
....Petitioners.

Mr. Sabir Ahmed
Mr. Abdur Rakib
Mr. Mojahid Mehedi
Mr. Dhiman Banerjee
...for the petitioners.

Mr. Debasish Roy
Mr. Saryati Datta
Mr. Akash Ganguly
....for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The brother of the present petitioner no. 2 through his wife has filed a complaint before a Magistrate against the sister and her family members. This was treated as an FIR. False allegation without having support of any documentary evidence has been leveled that some gold was taken away and not returned.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statements of witnesses. He submits that the petitioners have not cooperated with investigation.

Considering the materials available in the case diary, 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.

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 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 further condition that the petitioners shall cooperate with investigation, shall not threaten or intimidate witnesses and the petitioner nos. 1 and 3 shall meet the I.O. as and when required.

The application for anticipatory bail is, thus, allowed.

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

(Jay Sengupta, J.)