

AD 51
December 5, 2025
Ct. 28
SG

Allowed

CRM(A) 3915 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Itahar P.S. Case No.561 of 2025 dated 15.08.2025 under Sections 115(2)/117(2)/126(2)/109(1)/3(5) of the BNS, 2023.

And

In the matter of:

Babul Hossain and others

... petitioners

Mr. Anisur Rahman

... for the petitioners

Ms. Manisha Sharma

Mr. Tirthankar Dhali

... for the State

Heard learned counsels for the parties.

Perused the case diary.

It appears that although one of the victims suffered fracture injury on head and the other one suffered a simple injury, no specific role has been ascribed to the accused who had delivered the fatal blow causing fracture. More importantly, there is a delay of about 50 days in lodging an FIR.

Considering the above and the other materials available in the case diary, although I am inclined to grant anticipatory bail to the petitioners, their movement shall remain restricted for a limited period.

In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten

thousand) 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 the further conditions that the petitioners shall cooperate with the investigation, shall meet the investigating officer once a week till submission of report in final form, shall stay beyond the jurisdiction of Itahar Police Station for a period of six months except for meeting the investigating officer or attending the jurisdictional court and shall not threaten or intimidate witnesses.

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.)