

18.12.2025
Court No.28
Item No.56 to 59.
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CRM (A) 3970 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Harishchandrapur Police Station Case No.**455 of 2024** dated **02.06.2024** under Sections **341/323/325/307/506/34** of the Indian Penal Code.

And

In the matter of: **Rejina Bibi @ Apela Khatun**

....Applicant/Petitioner.

CRM (A) 3982 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Harishchandrapur Police Station Case No.**455 of 2024** dated **02.06.2024** under Sections **341/323/325/307/506/34** of the Indian Penal Code.

And

In the matter of: **Najima Bibi and others.**

....Applicants/Petitioners.

CRM (A) 3984 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Harishchandrapur Police Station Case No.**455 of 2024** dated **02.06.2024** under Sections **341/323/325/307/506/34** of the Indian Penal Code.

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And

In the matter of: **Akbar Ali**

....Applicant/Petitioner.

CRM (A) 4038 of 2025

In Re: - In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Harishchandrapur Police Station Case No.**455 of 2024** dated **02.06.2024** under Sections **341/323/325/307/506/34** of the Indian Penal Code.

And

In the matter of: **Abdur Rouf @ Abdur Rop and others.**

....Applicants/Petitioners.

Mr. Jaydeep Biswas
 Mr. Amanul Islam
 Mr. Arup Sarkar
 Mr. Gourab Roy

...for the petitioner/s

Mr. Partha Pratim Das
 Mr. Sachit Talukdar

..for the State in
 CRM (A) 3970 of 2025

Mr. Arijit Ganguly
 Mr. Santanu Talukdar

..for the State in
 CRM (A) 3982 of 2025

Mr. Md. Anwar Hossain
 Mrs. Trina Mitra

..for the State in
 CRM (A) 3984 of 2025

Mr. Md. Anwar Hossain
 Mr. Subhajit Chowdhury

..for the State in
 CRM (A) 4038 of 2025

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners had allegedly stolen a chicken from the de facto complainant and had picnic with it. This lead to altercation between the two sides. Both sides received injuries. At the stage of investigation, the anticipatory bail of the petitioner in CRM (A) 2639 of 2024 and some other co-accused was rejected by this Court. But, at that time, Section 326 of the Penal Code was imputed in the FIR. However, now a charge sheet has been submitted deleting the said provision and instead putting Section 325 of the Penal Code as one of the charges. The injuries suffered were not grievous, although there was a hairline fracture in a finger of a hand of a victim.

Learned counsels appearing on behalf of the State strongly oppose the prayer for anticipatory bail. They refer to the statements of the witnesses including those of victims and the two injury reports.

It appears from one of the injury reports that relatives of the victims assaulted them on both hands and punched over head, chest and other parts of the body. There was a fracture at the base of the second metacarpal bone (left). In the portion which refers to on what part of the body injuries were inflicted, the same covered left hand, forearm, chest and scalp.

As charge sheet has been submitted, inter alia, under Section 325 of the Penal Code instead of 326 of the Penal Code, the application for anticipatory bail in CRM (A) 2639 of 2024 is maintainable.

However, considering the materials available in the case diary, the fact that injuries were inflicted on certain vital parts of the body as well and a fracture injury was inflicted on a finger, the alleged roles ascribed to each of the present petitioners, the fact that some of the petitioners are women, while I am inclined to grant anticipatory bail to the petitioner (Rejina Bibi @ Apela Khatun) in CRM (A) 3970 of 2025, the petitioners (Najima Bibi, Nurseba Khatun @ Nurseba Bibi and Najli Bibi @ Najminara Bibi @ Najminara) in CRM (A) 3982 of 2025, the petitioner nos. 3, 5 and 7 (Soma Bibi @ Soma, Anguri Bibi @ Tabossum Ambari and Doli Bibi @ Dolly Bibi) in CRM (A) 4038 of 2025, the applications for anticipatory bail of the petitioner no.1 in CRM (A) 3984 of 2025 and the petitioner nos.1, 2, 4, 6 and 8 in CRM (A) 4038 of 2025 are rejected.

In the event of arrest, the petitioner (Rejina Bibi @ Apela Khatun) in CRM (A) 3970 of 2025, the petitioners (Najima Bibi, Nurseba Khatun @ Nurseba Bibi and Najli Bibi @ Najminara Bibi @ Najminara) in CRM (A) 3982 of 2025, the petitioner nos. 3, 5 and 7 (Soma Bibi @ Soma, Anguri Bibi @ Tabossum Ambari and Doli Bibi @ Dolly Bibi) in

CRM (A) 4038 of 2025 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.

The application for anticipatory bail is, thus, disposed of.

(Jay Sengupta, J.)