

23.12.2025
Sl. No.30
NB

CRM (A) 4063 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Belda P.S. Case No.384/2025 dated 27.09.2025 under Sections 329(4)/115(2)/117(2)/74/76/109(1)/351(2) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Sk. Sadek @ Sek Sadek Ali

... petitioner

Ms. Monami Mukherjee,
Ms. Reshmi Khatun
...for the petitioner.

Mr. Bidyut Kumar Roy,
Mr. Asif Dewan.
...for the State.

Mr. Amit Ranjan Pati,
Ms. K. Kubra,
Mr. Anish Goswami.
...for the de facto complainant.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner was an eye-witness to an incident in which a woman was set ablaze. Because of this, he has been roped in as an accused in a number of cases as a means to pressurize him. Earlier, this Court had granted anticipatory bail to the petitioner in an order dated 02.12.2025, passed by this Court in *CRM(A) 3875 of 2025*. In fact, on the particular day, a meeting was presided over by the petitioner. After that, he was asked to intervene in a family dispute between the victim and her husband. But, the present false allegation was levelled against the petitioner instead.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail and relies on the statements of local witnesses as well as the victim. The petitioner has several criminal antecedents.

Considering the nature of allegations, the materials available in the case diary and the petitioner's claim about victimization for being a witness in a case, I do not think that custodial interrogation of the petitioner is required in this case and I am inclined to grant anticipatory bail to the petitioner.

Accordingly, in the event of arrest, the petitioner 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 Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioner shall cooperate with the investigation and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and the petitioner shall meet the Investigating Officer once a week till submission of report in final form.

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

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)