

AD 43
December 23, 2025
Ct. 28
SG

Reject

CRM(A) 4097 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Harishchandrapur P.S. Case No.33 of 2025 dated 09.01.2025 under Sections 109/118(2)/324(4)/329(3)/3(5) of the BNS, 2023.

And

In the matter of:

Muklesur Ali alias Muklesur Rahaman
... petitioner

Mr. Soupal Chatterjee
Mr. Anupam Das
... for the petitioner

Md. Anwar Hossain
Ms. Rajarshee Tah
... for the State

Learned counsel for the petitioner submits that the incident of assault had taken place over the issue of a boundary wall. No one suffered any grievous injury. The petitioner claims parity with the other accused who had been granted anticipatory bail.

Learned counsel for the State vehemently opposes the prayer for anticipatory bail and submits that the present petitioner is not standing on the same footing as the other accused who had granted anticipatory bail. As against the present petitioner, the allegation is that he had assaulted one of the victims with a spade resulting in serious injury on the head of the victim. He relies on the statement of a witness available at page 19 of the case diary and to the injury report available at page 26 of the case diary.

Considering the above, the other incriminating materials available in the case diary and the fact that the petitioner is not standing on the same footing as the other accused who had been granted anticipatory bail, I do not consider this to be a fit case for granting anticipatory bail.

The application for anticipatory bail is, thus, rejected.

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

(Jay Sengupta, J.)