

AD 50
December 23, 2025
Ct. 28
SG

Allowed

CRM(A) 4118 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Baishnabnagar P.S. Case No.354 of 2025 dated 27.03.2025 under Sections 25(1A)/25(1B)(a)/25(6)/25(8)/35 of the Arms Act, 1959 and under Sections 111(4)/61(2)/111(3) of the BNS, 2023.

And

In the matter of:

Hamim Sk @ Ariyan Sk

... petitioner

Mr. Arnab Chatterjee

Mr. Avik Ghosh

... for the petitioner

Ms. Sukanya Bhattacharya

Mr. Raju Mondal

... for the State

Learned counsel for the petitioner submits that other than the statement of a co-accused there is no other material available in the case diary. Charge-sheet has been submitted against six persons. The principal accused was arrested and thereafter granted statutory bail.

Learned counsel for the State opposes the prayer for anticipatory bail and submits that there were telephonic communications between the principal accused and the petitioner.

From the statement of the principal accused it appears that he had acquaintance with the present petitioner who used to frequent the place in question.

Considering the fact that other than the statement of a co-accused there is hardly any other incriminating material available against the petitioner and the fact that the charge-sheet has been submitted, 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.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) 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 petitioner shall surrender before the jurisdictional court and pray for bail within four weeks from this date, shall attend the jurisdictional court regularly 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.)