

10.01.2025
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Partly
Allowed

CRM (A) No. 82 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Itahar Police Station Case No. 676 of 2024 dated 19.11.2024 under Sections 126(2)/117(2)/109/3(5) of the BNS.

And

In Re : Mansur Ali & Ors. petitioners

Mr. Mirza Firoj Ahmed Begg
Ms. Rita Patra
Ms. Pusmita Das

..... for the petitioners

Mr. Anand Keshari
Mr. Prakash Mishra

..... for the State

Mr. Nirupam Dhali

..... for the de facto complainant

1. Heard the learned Counsels for the parties.

2. We have considered the materials on record.

Injuries of the victim are grievous and on vital parts of the body.

Statement before doctor shows petitioner nos. 1 and 5 assaulted the victim. Hence, we are not inclined to grant anticipatory bail to the petitioner nos. 1 and 5.

3. Accordingly, prayer for anticipatory bail in so far as petitioner nos. 1 and 5 concerned is rejected.

4. Keeping in mind the extent of complicity of the petitioner nos. 2, 3 and 4 in the crime we are inclined to grant anticipatory bail to them.

5.

5. Accordingly, we direct that in the event of arrest, petitioners no. 2) Latika Bibi @ Latija Bibi, 3) Tofajjal Haque and 4) Abdul Kashim @ Kashim shall be released on bail upon furnishing a bond of Rs. 10,000/- each, with two sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under section 482(2) of the Bharatiya Nagarik Suraksha Sanhita and on condition that they shall appear before the jurisdictional court and pray for regular bail within a period of four weeks from date.

6. The application for anticipatory bail in so far as petitioners no. 2, 3 and 4 concerned is, thus, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)