

17.06.2025
Serial no. 5
[G.S.D]

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI**

CRM (A) 358 of 2025

In re : An Application under Section **482** of the BNSS, 2023/under Section 438 of the Cr.P.C. in connection with **Tufanganj P.S. FIR No. 130 of 2025 dated 12.03.2025 corresponding to GR No. 217 of 2025 under Section 126(2), 115(2), 117(2), 118(1), 118(2), 351(2), 3(5) of the BNSS, 2023.**

-And-

In the matter of : Riyaj Hossain @ Riaj Hossain & Ors.
... Petitioner(s)

Mr. S. Mukhoapdhyay
Ms. Tannu Agarwal
Mr. S. Lohari

... for the petitioner(s)

Mr. Saikat Chatterjee
Mr. Chattu Ray

... for the State

Learned advocate for the petitioners submits that the petitioners are innocent and they have been falsely implicated in connection with the instant case on the grounds of previous rivalry. Learned advocate submits that the incidents as complained of are baseless and the petitioners being innocent of the charges should be favoured with a prayer of anticipatory bail.

Learned advocate for the State has produced the Case Diary as also the injury report along with the report so

called for today. The report reflects that four stitches were administered on the victim/injured who was assaulted at the behest of the petitioners. The statement of the injured also reflects the name of all the accused persons.

Having considering the gravity of the offence, I am of the opinion that, *prima facie*, a case has been made out. However, the petitioner no.3, being a lady, may be enlarged on anticipatory bail.

Accordingly, prayer for anticipatory bail of the petitioner no.3 being **Beli Bibi** is **Allowed**.

Accordingly, I direct that in the event of arrest, the petitioner no.3 **Bili Bibi** be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer of the case and also subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and/or under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

So far as the petitioner nos. 1 and 2 being Riyaj Hossain @ Riaj Hossain and Rejjak Hossain are concerned, their prayer for anticipatory bail is **rejected**.

Accordingly, CRM(A) 358 of 2025 is partly Allowed.

Pending application(s), if any, is also disposed of.

Report so submitted be kept with the record.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)