

10.07.2025

Item No.12

Ct.No.02

rc.

Allowed

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (A) 436 of 2025

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Tufanganj Police Station Case No. 81 of 2019 dated 02.03.2019.

And

In Re : **Saddam Hossain**

... Petitioner

Ms. Mousumi Das

... for the Petitioner

Mr. Ujjwal Luksom

Ms. Namrata Das

... for the State

Heard learned counsels for the parties.

Petitioner is not named in the FIR. Though the FIR says that some cattle smugglers apprehended by the BSF started assaulting them with bamboo sticks, the statement of witnesses recorded under Section 161 of the Code of Criminal Procedure does not support the contention of the FIR. Charge sheet has been submitted.

Considering the material on record and extent of complicity of the petitioner in the alleged offence, this Court is inclined to grant anticipatory bail to him.

Accordingly, in the event of arrest, the petitioner **Saddam Hossain** be released on bail on furnishing bond of Rs.10,000/-(Rupees Ten Thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer and subject to provision under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023. The petitioner shall appear before the jurisdictional Court and pray for regular bail within two weeks from date.

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

Case Diary be returned.

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

(Suvra Ghosh, J.)