

17.06.2025
Serial no. 66
[G.S.D]

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

CRM (DB) 731 of 2024

In re : An application under Section 483(3) of the BNSS, 2023.
-And-

In the matter of : Nurul Hasan

... Petitioner(s)

Mr. Satyam Sarkar

... for the petitioner(s)

Mr. Arijit Ghosh

Ms. Angana Rakshit

... for the o.p. nos. 2, 3 and 4

Mr. Aditi Shankar Chakraborty, Id. APP

Mr. Sourav Ganguly

... for the State

Learned advocate for the petitioner submits that there is perversity in the order passed by the learned Vacation Judge, Jalpaiguri in the order dated 25.10.2024 passed in Criminal Misc. Case No. 1901 of 2024. Learned advocate also submits that no reasons have been assigned by the learned Sessions Court while passing the order of anticipatory bail and, as such, the same should be cancelled.

Additionally, it has been submitted that the injured suffered immensely and was bed ridden. The injury report also reflects the same. However, surprisingly, without

consideration of the same, the learned Sessions Court granted the anticipatory bail.

Learned advocate for the State has produced the Case Diary and has drawn the attention of the court to the injury report as well as the statement of the different witnesses including the statement of the injured/victim.

Learned advocate for the o.p. no.2 submits that against one Lihaj Hossain an application for cancellation of bail was preferred. However, the same was dismissed for default.

I have perused the Case Diary and I find that statement was recorded by the investigating officer of the case of the injured/victim, who has solely referred to aforesaid Lihaj Hossain as the person who has inflicted all the injuries upon him. The said statement was available in the Case diary as it was recorded on 22nd October, 2024.

Having considered that there was every scope for the learned Vacation Judge, Jalpaiguri to consider the statement of the injured/victim, I am of the opinion that the conscience of the learned Sessions Judge was fully available when the application for anticipatory bail was heard by the said court, as such, no interference is called for.

Accordingly, CRM(DB) 731 of 2024 is **Rejected**.

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.)