

05.02.2026
Court No.28
Item No.34
ssi

CRM (A) 77 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Nazat Police Station Case No.**139 of 2019** dated **08.06.2019** under Sections **147/148/149/325/326/302** of the Indian Penal Code with Section 25 and 27 of the Arms Act.

And

In the matter of: **Arun Naskar & others.**

.... Petitioners.

Mr. Siddhartha Sarkar
Mr. S. Gupta

...for the petitioners

Mr. Md. Adil Badr
Ms. Puja Goswami

..for the State

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners were not named either in the FIR lodged in 2019 or in the charge sheet filed in 2019 itself. They have been named for the first time in the supplementary charge sheet in 2025. Earlier, several other co-accused were granted anticipatory bail. Some were denied the benefit of the anticipatory bail because they had absconded for long. Over the same facts, similarly circumstanced co-accused were granted anticipatory bail on 17.11.2025 in CRM (A) 3573 of 2025.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail, relies on the case diary and points to the subsequent statement of the father of the victim recorded before learned Magistrate in 2025.

It appears from the statement of the witness that he has purportedly given further names as accused of those who were missed in the FIR.

Considering the above and the other materials available in the case diary, the alleged roles ascribed to the present petitioners, the fact that the petitioners' names came up about six years after the registration of the FIR, the fact that several other co-accused were granted anticipatory bail earlier and that a charge sheet has been submitted, I am inclined to grant anticipatory bail to the petitioners.

Accordingly, the application for anticipatory bail of the petitioners is allowed.

In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each 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 further conditions that the petitioners shall surrender before the jurisdictional Court and pray for bail within four weeks from this date and shall attend the jurisdictional Court regularly. The petitioners shall not threaten or intimidate the witnesses.

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

(Jay Sengupta, J.)