

C. R. M. (A) 158 of 2026

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 08.01.2026 in connection with Harishchandrapur Police Station Case No.33 of 2025 dated 09.01.2025 under Sections 329(3)/324(4)/118(1)/118(2)/109/3(5) of the Bharatiya Nyaya Sanhita, 2023. (G.R. Case No. 76 of 2025)

And

In Re: ***Sabedur Rahaman & Anr.***

... .. Petitioners

Mr. A. Islam
Mr. G. Roy

... .. for the petitioners

Mr. S. S. Imam
Mr. S. Nandy

... .. for the State

1. Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners claim parity with other co-accused who were granted anticipatory bail on 26.03.2025 by a Division Bench and on 28.04.2025 by this court.
2. Learned counsel appearing on behalf of the State submits that possibly it was not pointed out in any one of those proceedings that the victim suffered a fracture injury. This will be evident from the document present at page 35 of the case diary. The anticipatory bail application of another co-accused was rejected by this court.
3. It appears from the statement of the injured present at page 26 of the case diary that although several accused had attacked him, it was the co-accused viz. Nur Islam, who gave a particular blow with a sword which hit his wrist and the victim suffered fracture injury on the wrist. Therefore, the said Nur Islam is the principal accused in the case.
4. Considering the above, the other materials available in the case diary, the alleged role prescribed to the present petitioner, the fact that

some other co-accused were granted anticipatory bail by this court and that the fact that charge sheet has already been submitted, I am inclined to grant anticipatory bail to the petitioners.

5. In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, one of whom must be local, 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, 2023 and on further condition that the petitioners shall surrender before the learned jurisdictional court within four weeks from date and pray for bail and shall attend the jurisdictional court regularly. They shall not threaten and/or intimidate witnesses.

6. The application for anticipatory bail is, thus, allowed.

7. Urgent Photostat certified copies of this order, if applied for, be supplied to the parties upon compliance of all formalities.

(Jay Sengupta, J.)