

AD 43
February 9, 2026
Ct. 28
SG

Partly Allowed

CRM(A) 263 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Manikchak P.S. Case No.725 of 2025 dated 21.09.2025 under Sections 126(2)/117(2)/351(3)/109/3(5) of the BNS, 2023.

And

In the matter of:

Md. Rahul and others

... petitioners

Mr. Arup Kumar Bhowmick

... for the petitioners

Ms. Manisha Sharma

Ms. Baishakhi Chatterjee

... for the State

Learned counsel for the petitioners submits that there was a scuffle between the private parties, but no grievous injury was caused.

Learned counsel for the State opposes the prayer for anticipatory bail and relies on the injury report which shows abrasion over the face and discolouration around the left eye. She submits that the assault was allegedly committed by hands, lathi and rod. Although in the FIR the de facto complainant had taken the names of all the petitioners, the statements of the neighbours implicate only the petitioner No.1 by name.

Considering the above, the other materials available in the case diary, the alleged role ascribed to each of the petitioners and the fact that a charge-sheet has been submitted, while I am inclined to grant anticipatory bail to

the petitioner Nos.2 and 3, the application for anticipatory bail of the petitioner No.1 (Md. Rahul) is rejected.

In the event of arrest, the petitioner Nos.2 and 3 (Md. Saheb and Md. Jainul)) shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) 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 the further conditions that the petitioner Nos. 2 and 3 shall surrender before the jurisdictional court within four weeks from this date and pray for bail, attend the jurisdictional court regularly and shall not threaten or intimidate witnesses.

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

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

(Jay Sengupta, J.)