

05.03.2026
Sl. No.28
NB

CRM (A) 385 of 2026

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Jagaddal PS Case No.345/2021 dated 03.05.2021 under Sections 448/325/307/302/427/34 of the Indian Penal Code, 1860.

And

In the matter of: Jharna Mistri @ Mamoni.

... petitioner

Mr. Md. Khairul.
...for the petitioner.

Mr. Amajit De Spcl. PP.
...for the CBI.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is not the principal accused. The other co-accused who were arrested in connection with the case, were all granted bail.

Learned counsel appearing on behalf of the CBI opposes the prayer for anticipatory bail. He submits that the petitioner has remained absconding for about five years. Warrant, proclamation and attachment had been issued against the present petitioner. As per the statements of the eye-witnesses, the petitioner was one of the assailants. There are four statements of eye-witnesses recorded before the learned Magistrate, which implicate the present petitioner.

Considering the above, the other incriminating materials available in the case diary, the alleged role ascribed to the present petitioner and the fact that the petitioner had remained absconding for about five years, I do not consider this to be a fit case for granting anticipatory bail to the present petitioner.

The application for anticipatory bail of the petitioner is, thus, rejected.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)