

11.03.2026
rpan/18

CRM (A) 411 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Rabindranagar Police Station Case No. **05** dated **10.01.2026** under Sections 285/324(4)/61 of the Bharatiya Nyaya Sanhita, 2023 and Section 17A/17B, Inland Fisheries Act, 1984 and Section 15 of the Environment Protection Act, 1986.

And

In the matter of: **Sagir Ahmed**

.... Petitioner.

Mr. Bidyut Kr. Halder,
Mr. Indranil Halder,
Ms. Neha Singh
... for the petitioner
Mr. Bibaswan Bhattacharya,
Mr. Asif Dewan
... for the State.

Affidavit-of-service, filed on behalf of the petitioner, is taken on record. No one appears on behalf of the Kolkata Municipal Corporation, despite service of notice.

A copy of the report filed on behalf of the State is taken on record.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is the owner of the plot of land in question. It is wrongly claimed by the Corporation that it had acquired the said land. The petitioner filed a writ petition in this regard, which is pending. The petitioner has also complied with the notice issued by the Investigating Officer.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statements of the witnesses and the documents available in the case diary.

Considering the above, the fact that there is a writ petition regarding the main dispute filed on behalf of the petitioner pending

and the fact that the petitioner has complied with the notice issued by the Investigating Officer, I do not think that custodial interrogation of the petitioner is required in this case and I am inclined to grant anticipatory bail to the petitioner.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- 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 petitioner shall co-operate with the investigation and shall not threaten or intimidate the witnesses. The petitioner shall meet the Investigating Officer once a week till submission of report in final form.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)