

09.03.2026
Sl. No.55
NB

CRM (A) 580 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 Raghunathganj PS Case No.449/2025 dated 09.04.2025 under Sections 191(2)(3)/190/326/221/132/121(1)(2)/326(f)/304(2)/109/110 of the BNS, 2023 and 4 of the Prevention of Damage to Public Property Act and 8B National Highway Act.

And

In the matter of: Azahar Sk. @ Azarul Sk. @ Ayarul Sekh
... petitioner

Ms. Shabana Hasin.
...for the petitioner.

Mr. Partha Pratim Das,
Mr. Prakash Mishra.
..for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner has been falsely implicated in this case. During agitation against the CAA, persons had been indiscriminately hauled up by the police. First, a Coordinate Bench of this Court had granted anticipatory bail to a co-accused, Manirul Sekh @ Manirul Sk. on 16.10.2025 in *CRM (A) 3505 of 2025*. Thereafter, this Court granted anticipatory bail to several co-accused, who were standing on the same footing as the said Manirul Sekh.

Learned counsel appearing on behalf of the State strongly opposes the prayer for anticipatory bail. He submits that possibly due to some miscommunication, it was not pointed out before the Coordinate Bench on 16.10.2025 that the petitioner therein namely Manirul Sekh was very much named in the FIR. That the petitioner was not named in the FIR was one of the grounds for granting anticipatory bail. Thereafter, certain other co-accused were granted

anticipatory bail being on the same footing. Fortunately, the accused Kamrul Hasan, who was granted anticipatory bail by this Court on 23.12.2025 was actually not named in the FIR. However, the present petitioner is very much named in the FIR. It is alleged that the accused not only attacked and assaulted the police personnel, they thereafter, attacked and vandalized the houses, which had given shelter to the fleeing police personnel.

Considering the above, the other incriminating materials available in the case diary, the fact that the petitioner was even named in the FIR and the alleged role ascribed to the present petitioner, 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.)