

11/03/2026
D/L – 41
Court No.28
S. Kundu
Rejected

C.R.M.(A) 604 of 2026

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Manikchak P.S case no. 443 of 2023 dated 18/6/2023 under sections 341/353/332/333/188/186/224/323/206/34 of the IPC and Section 3 of the Prevention of Damage to Public Properties Act and Section 9 of the MPO Act.

In the matter of: Ainal Sk @ Md Ainul Hoque

...Petitioner.

Mr. Romit Dutta
Ms. Sanjukta Samanta

...for the petitioner.

Mr. Soumik Ganguly
Mr. Sandip Kundu

...for the State.

1. Learned counsel appearing on behalf of the petitioner submits as follows. The present application for anticipatory bail has been filed for the second time as the charge sheet has now been submitted without including the provisions of the Arms Act under which the FIR was lodged. Earlier, the rejection of the petitioner's application for anticipatory bail was on the basis of such higher allegation. The petitioner has been falsely implicated in this case. Unfortunately, in the meantime, the petitioner's son has been murdered.
2. Learned counsel appearing for the State strongly opposes the prayer for anticipatory bail. He relies on the case diary including the statements of witnesses and the seizure list and the injury reports. He submits that the

application for anticipatory bail of a similarly circumstanced co-accused namely, Akhtar Ali @ Sk was rejected by this Court on 04/07/2025 in CRM (A) 1925 of 2025 even after the charge under the provisions of the Arms Act were deleted. The police personnel were mercilessly assaulted by the accused.

3. Considering the above, the other incriminating materials available in the case diary and the fact that the petitioner has remained absconding for about two years, I do not consider this to be a fit case to grant anticipatory bail to the petitioner.
4. Accordingly, the application for anticipatory bail is rejected.

(Jay Sengupta, J.)