

10.03.2026
Sl.43
Ct.No.28
NB

CRM (A) 607 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 Tamluk P.S. Case No.798 of 2025 dated 07.10.2025 under Sections 126(2)/115(2)/117(2)/74/109/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Sk. Firoj Islam @ Firoj Islam & Ors. ... petitioners

Ms. Manaswita Mukherjee.
...for the petitioners.

Mr. Saibal Bapuli,
Mr. Tirthankar Dhali.
...for the State.

Mr. Bhaskar Hutait
...for the de facto complainant.

Learned counsel appearing on behalf of the petitioner submits as follows. There is a long standing civil dispute between the private parties, who are relatives. There are case and counter case. The first case was initiated by the petitioners' side. The petitioners received more serious injuries than the other side. Two co-accused were granted anticipatory bail by the learned Sessions Court.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail. He submits that several persons received injuries and some were very serious in nature.

Learned counsel appearing on behalf of the State opposes the prayer of the anticipatory bail. He refers to the statements of the victims and the statements of other witnesses. He also refers to the injury reports, which show infliction of injuries on vital parts of the body.

Considering the above, the other materials available in the case diary and the alleged roles ascribed to each of the present petitioners, while I am inclined to grant anticipatory bail to the petitioner no.3 (Sk. Faruk @ Faruk Zamindar @ Faruk Zamindar), the application for anticipatory bail of the petitioner nos.1 to 2 are rejected.

Accordingly, in the event of arrest, petitioner no.3 (Sk. Faruk @ Faruk Zamindar @ Faruk Zamindar) 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 Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioner no.3 shall cooperate with the investigation and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and shall meet the Investigating Officer once a week till submission of report in final form.

The application for anticipatory bail is partly allowed and disposed of.

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.)