

AD 59
April 7, 2026
Ct. 28
SG

Allowed

CRM(A) 615 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Ghatal P.S. Case No.187 of 2021 dated 24.05.2021 under Sections 341/323/325/307/354/379/506/34 of the IPC.

And

In the matter of: Sk Muktar Ahamed

... *petitioner*

Mr. Masrur Ahamed

... for the petitioner

Mr. Binay Kumar Panda
Mr. Mainak Gupta

... for the State

Mr. Samim Ahammed
Mr. A.I. Baidya
Ms. R. Khatun
Md. N. Haque

... for the de facto complainant

Learned counsel for the petitioner submits that the petitioner was not named as accused in the charge-sheet. However, the learned Magistrate disagreed and decided to summon him as an accused in this case.

Learned counsel for the de facto complainant opposes the prayer for anticipatory bail and submits that the petitioner is highly influential. He allegedly prepared fake documents to show that he was not present at the spot at the relevant time.

Learned counsel for the State opposes the prayer for anticipatory bail and relies on the statements of witnesses and the injury report which shows infliction of grievous injury. However, he submits that a Division Bench of this Court had granted anticipatory

bail to several other co-accused. Some statements implicate the petitioner and some do not.

Considering the above, the other materials available in the case diary, the fact that several other co-accused were granted anticipatory bail by this Court earlier and that the charge-sheet has been submitted, 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/- (rupees ten thousand) 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 the further conditions that the petitioner shall surrender before the jurisdictional court within four weeks from this date and pray for bail, shall attend the jurisdictional court regularly and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Personal appearance of the investigating officer is noted and is dispensed with.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)