

08.04.2026
Court No.28
Item No.99
tbsr
Partly Allow

CRM (A) 779 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Chnadaneswar** P.S. Case No.**141 of 2025** dated **25.12.2025** under Sections **126(2)/121(1)/109/74/79/54** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Amir Ali Molla & Ors.

....Petitioners.

Mr. Habibur Rahaman
Mr. Novit Jamin Islam
...for the petitioners.

Ms. Sonali Das
Ms. Sreetama Das
.....for the State.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioner no. 1 is a social worker. On 11.04.2025, he along with others submitted representations to different authorities seeking to end drug trafficking and other illegal activities in the area. He also alleged involvement of the Officer-in-charge of the local Police Station. He also filed a complaint later on in November, 2025. As a counter measure, the petitioner no. 1 was falsely implicated in this case. In the guise of searching the premises of the petitioner no. 1, the police came and ransacked the house. The petitioners resisted, and they were seriously assaulted. Reliance is placed on injury reports, annexed to the petition. Thereafter, the petitioners and their family members have been falsely implicated in the present case.

Learned counsel appearing on behalf of the State strongly opposes the prayer for anticipatory bail. She submits that the injury reports annexed by the petitioners only show minor tenderness on

the alleged injured. However, more serious injuries were inflicted on the police personnel who had gone to raid the petitioners' residence. There are lacerated wounds and other kind of wounds inflicted on the police personnel, including female police officers. She relies on the statements of the victims as well as independent local witnesses, and the medical reports contained in the case diary.

Considering the above and the other materials available in the case diary and the fact that the petitioner nos. 3, 4, 6, 7 and 8 are female members of the household, while I am inclined to grant anticipatory bail to the petitioner nos. 3, 4, 6, 7 and 8, the application for anticipatory bail of the rest of the petitioners, namely, petitioner nos. 1 (Amir Ali Molla), 2 (Soriful Molla) , 5 (Sirajul Molla), 9 (Ismail Gharami), 10 (Ahammad Gharai) and 11 (Manirul Gharami) is rejected.

In the event of arrest, the petitioner nos. 3 (Khotejan Bibi), 4 (Firoja Bibi), 6 (Hasina Bibi @ Hasina Molla), 7 (Sandhya Khatun @ Sonali Bibi @ Sonali Molla and 8 (Attaron Bibi @ Attaron Bibi Garami) shall be released on bail upon furnishing a bond of Rs.10,000/- each 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 condition that the petitioner nos. 3, 4, 6, 7 and 8 shall cooperate with investigation and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, 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.)