

23.04.2026
Sl. No.45
Ct. 28
NB

C.R.M (A) 863 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 Bolpur PS Case No.42/2026 dated 05.02.2026 under Sections 329(4)/118(2)/117(2)/109/351(2)/3(5) of the BNS, 2023.

And

In the matter of: Jamu Khan & Ors.

... petitioners

Mr. Sanjib Kumar Dan.
...for the petitioners.

Mr. Arindam Sen,
Ms. Pritha Pal.
..for the State.

Learned counsel appearing on behalf of the petitioners submits as follows. There was a free fight between neighbours. The petitioners have been falsely implicated in this case.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He refers to the statement of the victim and the statements of other witnesses as well as the injury reports. The victim had to be hospitalized for two days. There were injuries inflicted on vital parts of the body like the head and shoulder.

Considering the above, the other materials available in the case diary and the alleged roles ascribed to each of the present petitioners, although I am inclined to grant anticipatory bail to the petitioner nos.2 (Nijam Khan) and 3 (Khudu Khan @ Lutfar Rahaman), the application for anticipatory bail of the petitioner no.1 is rejected.

Accordingly, in the event of arrest, the petitioner nos.2 (Nijam Khan) and 3 (Khudu Khan @ Lutfar Rahaman), 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 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 nos. 2 and 3 shall cooperate with the investigation and shall meet the Investigating Officer once a fortnight till submission of report in final form and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever.

The application for anticipatory bail is, thus, 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.)