

AD 23
May 20, 2026
Ct. 28
SG

Allowed

CRM(A) 1008 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Raiganj P.S. Case No.1284 of 2025 dated 05.11.2025 under Sections 329(4)/74/64/62/351(2) of the BNS, 2023.

And

In the matter of: Abdul Salam *... petitioner*

Mr. Kaushik Choudhury

... for the petitioner

Mr. Krishendu Bhattacharya

Mr. Kaustav Lal Mukherjee

... Amicus

Report filed by the State is taken on record.

Despite service, no one appears on behalf of the de facto complainant.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. The FIR was lodged after a direction was passed by the learned Magistrate to register the same. Although the incident allegedly took place on 03.07.2025, the FIR was lodged on 05.11.2025.

Learned Amicus assisting the State relies upon the case diary and opposes the prayer for anticipatory bail. He also relies on the statement of the victim recorded before the learned Magistrate and the statements of witnesses. He submits that there is no medical report present in the case diary.

Considering the above, the other materials available in the case diary and the fact that there is a delay in lodging the FIR, although I am inclined to grant anticipatory bail to the petitioner, his movement needs to remain restricted for a limited period.

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 cooperate with the investigation, shall meet the investigating officer once a week till submission of report in final form, shall stay outside the jurisdiction of Raiganj Police Station for a period of three months except for attending the jurisdictional court or for meeting the investigating officer and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

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

(Jay Sengupta, J.)