

20.04.2026
Sl. No.24
Ct. 28
NB

C.R.M (A) 1119 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 Suti PS Case No.545/2025 dated 13.05.2025 under Sections 115(2)/117(2)/118(2)/109/3(5) of the BNS, 2023.

And

In the matter of: Ismail Mia @ Ismail Miya & Ors.

... petitioners

Mr. Arnab Chatterjee,
Mr. Avik Ghosh.
...for the petitioners.

Mr. Saibal Bapuli Id.APP.,
Mr. Arani Bhattacharyya.
..for the State.

Learned counsel appearing on behalf of the petitioners submits as follows. There was a fight between neighbours. Both sides received injuries. The petitioners had lodged the first FIR. The present case is only a counterblast to the same. In the case started by the petitioners, the accused were arrested and thereafter granted bail. Charge sheet has been submitted.

Learned Additional Public Prosecutor representing the State opposes the prayer for anticipatory bail. He refers to the injury reports of the victim, which show infliction of grievous injuries. He also refers to the statements of eye-witnesses.

Considering the above, the other materials available in the case diary, the fact that there are case and counter case, the alleged role ascribed to each of the present petitioners, and the fact that charge sheet has already been submitted, while I am inclined

to grant anticipatory bail to the petitioner nos.1 (Ismail Mia @ Ismail Miya) and 3 (Ainul Sk @ Ainal Sk), the application for anticipatory bail of the petitioner no.2 is rejected.

Accordingly, in the event of arrest, the petitioner nos.1 (Ismail Mia @ Ismail Miya) and 3 (Ainul Sk @ Ainal Sk) 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. 1 and 3 shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date and shall regularly attending the jurisdictional Court.

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.)