

21.04.2026
Sl. No.15
Ct. 28
NB

C.R.M (A) 1133 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.75/2026 dated 28.02.2026 under Sections 126(2)/115(2)/117(2)/109/118(1)/351(2)/3(5) of the BNS, 2023.

And

In the matter of: Sabad Ali Khan & Ors. ... petitioners

Mr. Sabir Ahmed,
Mr. Kunal Ganguly,
Mr. Shraman Sarkar,
Mr. Quazi Ezaz Ahmed.
...for the petitioners.

Mr. Bidyut Kumar Ray,
Mr. Siladitya Banerjee.
...for the State.

Mr. Atarup Banerjee,
Mr. G. M. Khan,
Mr. Rajdeep Pramanik.
...for the de facto complainant.

Copy of a notice issued by the concerned Masjid Committee, as filed in Court, is taken on record.

Learned counsel appearing on behalf of the petitioners submits as follows. The local Mosque Committee wanted to grab the petitioners' land. This prompted the petitioners to file a civil suit in the year 2024. It is further submitted that the petitioners were attacked on a particular occasion, and received serious injuries. Injury reports for the same have been annexed with the petition. The petitioners were constrained to lodge an FIR. As a counterblast, the present FIR was registered. In fact, after the present application for anticipatory bail was filed, the Mosque

Committee by a notice dated 17.04.2026 imposed a social boycott on the present petitioners.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail. He submits that both sides received serious injuries. The de facto complainant and their associates had also received serious injuries at the hand of the petitioners. In fact, during pendency of this application, another attack took place, resulting in more serious injuries.

At this stage, learned counsel for the petitioners submits that it would be better if the petitioners stayed outside the jurisdiction of the local police station. Otherwise, they may be falsely implicated in further cases. He denies the incident of further assault and submits that, at the relevant time, they were at the police station for lodging a complaint.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statements of witnesses and the injury reports, which, however, do not show infliction of any grievous injuries.

Considering the above and the other materials available in the case diary, I do not think that custodial interrogation of the petitioners is required in this case and I am inclined to grant anticipatory bail to the petitioners.

Accordingly, in the event of arrest, the petitioners 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 petitioners shall cooperate with the investigation and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and the petitioners shall meet the Investigating Officer as and when required.

The application for anticipatory bail is, thus, allowed.

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.)