

14.05.2026
Sl. No.16
Ct. 28
NB

C.R.M (A) 1178 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 Arambagh PS Case No.09/2026 dated 08.01.2026 under Sections 115(2)/117(2)/3(5)/329(4)/351(2)/352/76 of the BNS, 2023.

And

In the matter of: Sekh Jainal Abedin @ Sk. Jainal Abedin
... petitioner

Mr. Niladri Sekhar Ghosh,
Ms. Labani Sikder,
Mr. Souvik Dey.
...for the petitioner.

Mr. Krishnendu Bhattacharya,
Mr. Koustav Lal Mukherjee.
.....Amicus

Mr. Biswajit Manna
...for the alleged victim.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner and the de facto complainant are neighbours. Admittedly, there are cases and counter cases between the private parties. No injury whatsoever has been received by the victim. The petitioner has been falsely implicated in this case. The de facto complainant is in the habit of instituting cases against the petitioner. Earlier, this Court had granted anticipatory bail to the petitioner in respect of Arambagh Police Station Case No.4 dated 03.01.2026 on 08.04.2026 in *CRM (A) 750 of 2026*. The petitioner is ready and willing to hand over his phone to the Investigating Officer for seizure.

Learned Amicus assisting the State strongly opposes the prayer for anticipatory bail. He submits that, as per the allegations of the de facto complainant, the petitioner had taken a video of the alleged victim while taking a bath and threatened to make the same public. He had thereafter entered into a physical relationship with the victim. Thereafter, the petitioner and his associates continued to threaten, intimidate and harass the victim and her family members. On a particular occasion, the victim's husband was assaulted greivously. However, the injury report shows abrasion and traumatic pain, among other things. Charge sheet has been submitted.

Considering the above, the other materials available in the case diary, the fact that there are cases and counter cases between the private parties and the fact that charge sheet has already been submitted, I am inclined to grant anticipatory bail to the present 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 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 attend the jurisdictional Court.

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.)