

13/05/2026
D/L – 50
Court No.28
S. Kundu
Allowed

C.R.M.(A) 1372 of 2026

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Pukhuria P.S case no. 625 of 2025 dated 22/12/2025 under Sections 329(4)/232/115(2)/76/324(4)/303(2)/3(5) of the BNS.

In the matter of: Ujjir Ali @ Ujir Hossain & Ors.

...Petitioners.

Ms. Anamitra Banerjee
Mr. Musharraf Alam
Sk. Sarfaraj Nawaj

...for the petitioners.

Mr. Pritam Roy

... Amicus.

1. Learned counsel appearing on behalf of the petitioners submits as follows. The son of the petitioner no. 1 and the daughter of the de-facto complainant of the present case had a relationship. However, they were minors. For this, a case, *inter alia*, under the provisions of the POCSO Act was registered against the petitioners. The petitioners were granted bail in that case. As a further measure to pressurize them, the present case has been registered.
2. Learned Amicus assisting the State relies on the case diary and opposes the prayer for anticipatory bail. He relies on the statements of witnesses and the injury report. However, the report shows no external injury.
3. It will be for the Courts to decide whether a *prima facie* case can be said to have been made out under Section 232 of the BNS.

4. However, considering the above, the other materials on record and the fact that there is a prior dispute between two families, 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.
5. 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 the Arresting Officer and also be subject to further conditions that the petitioners shall cooperate with the investigation and shall not threaten or intimidate the witnesses. The petitioner nos. 1 and 2 shall meet the Investigating Officer once a fortnight till submission of report in final form.
6. Accordingly, the application for anticipatory bail is allowed.
7. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)