

AD 24
May 22, 2026
Ct. 28
SG

Allowed

CRM(A) 1448 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Murarai P.S. Case No.71 of 2026 dated 12.03.2026 under Sections 103(1)/3(5) of the BNS, 2023.

And

In the matter of: Atiur Rahaman alias Atiur Sk.

... *petitioner*

Ms. Shabana Hasin

... for the petitioner

Mr. Krishendu Bhattacharya

... Amicus

Learned counsel for the petitioner submits that after three months of death of the alleged victim, an FIR was registered stating that the victim had gone with the petitioner and did not return. Immediately thereafter the petitioner has prayed for anticipatory bail.

Learned Amicus, assisting the State, relies on the case diary and opposes the prayer for anticipatory bail. He submits that there are statements of relatives and neighbours that the two had gone out to a fair, but the victim did not return. However, there is no explanation provided in the FIR for the delay in lodging the FIR.

Considering the above, the other materials available in the case diary and the fact that there is a delay of about three months in lodging the FIR, I am inclined to grant anticipatory bail to the petitioner.

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 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.)