

AD 38
June 11, 2026
Ct. 28
SG

Reject

CRM(A) 1420 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Farakka P.S. Case No.479 of 2025 dated 15.12.2025 under Sections 103(1)/61(2)/3(5) of the BNS, 2023.

And

In the matter of: Md. Aliulla Hoque @ Aliulla Hoque
... *petitioner*

Mr. Sekhar Kumar Basu, Sr. Adv.
Mr. Antarikhya Basu
Mr. Sayan Mukherjee
... for the petitioner

Mr. Krishendu Bhattacharya, Id. APP
Mr. Utsav Dutta
... for the State

Mr. Saheb Banerjee
... for the de facto complainant

Affidavit of service filed in Court is taken on record.

Learned senior counsel representing the petitioner submits that the petitioner has been falsely implicated in this case. The victim was a night guard at the Kendua Ash Pond. On 14.12.2025, he died under unnatural circumstances. His wife lodged an FIR suspecting that the petitioner and some others might be behind the murder and alleging a longstanding enmity between the petitioner and the victim. At the relevant time, the petitioner was in Delhi.

Learned Additional Public Prosecutor representing the State relies on the case diary and strongly opposes the

prayer for anticipatory bail. He refers to the post-mortem report and the statements of witnesses and submits that the victim's wife stated before the learned Magistrate that she was informed about the incident by one Hoda soon after the incident. He further relies on the statements of the said Hoda and of one Rafikul Sk, present at pages 8 and 9 of the case diary. It appears that they had seen seven accused carrying arms while leaving the place of occurrence. One of the accused made an extra judicial confession that they were working at the behest of the present petitioner. The prosecution case is that the present petitioner had asked the seven accused to murder the victim, which they did. Reference is also made to certain call records between the present petitioner and two of the other assailants who have already been arrested. Several calls were made on two dates preceding the date of occurrence, i.e. on 27.11.2025 and 09.12.2025.

Learned counsel for the de facto complainant strongly opposes the prayer for anticipatory bail and submits that there was a longstanding enmity between the present petitioner and the victim.

Considering the above and the other incriminating materials available in the case diary, I do not consider this to be a fit case for granting anticipatory bail.

The application for anticipatory bail is, thus, rejected.

The personal appearance of the investigating officer is noted and is dispensed with.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)