

15.06.2026
Sl. No.44
Ct. 28
NB

C.R.M (A) 1494 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 Pukhuria PS Case No.45/2026 dated 01.02.2026 under Sections 329(4)/115(2)/117(2)/74/109/3(5) of the BNS, 2023.

And

In the matter of: Khursed Ali & Ors.

... petitioners

Mr. Apan Saha,
Mr. M. S. Sk.,
Sk. Sarfaraj Nawaj,
Mr. T. Ahmed.
...for the petitioners.

Mr. Krishnendu Bhattacharya
..for the State.

Learned counsel appearing on behalf of the petitioners submits as follows. There was a scuffle that took place over a dispute regarding land. The FIR was lodged pursuant to a complaint made before the learned Magistrate after a delay of about 47 days. The principal accused was arrested and was granted bail.

Learned counsel appearing on behalf of the State relies on the case diary and opposes the prayer for anticipatory bail. He refers to the statements of witnesses including independent eye-witnesses. He also relies on the injury reports, one of which shows infliction of serious injury on vital part of the body like the head that required stitches for repair. The other one shows an injury on the elbow requiring surgical intervention.

Considering the above, the other materials available in the case diary and the fact that the petitioner no.4 is a female member

of the household, although I am inclined to grant anticipatory bail to the petitioner no.4 (Rehena Bibi @ Bibi Rehena), the application for anticipatory bail of the petitioner no.1 (Khursed Ali), the petitioner no.2 (Sajahan Ali @ Sajahan) and the petitioner no. 3 (Firoj Ali @ Md. Firoj Ali) stands rejected.

Accordingly, in the event of arrest, the petitioner no.4 (Rehena Bibi @ Bibi Rehena) shall be released on bail upon furnishing a bond of Rs.10,000/- 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 petitioner no.4 shall cooperate with the investigation and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever.

The application for anticipatory bail is, thus, partly allowed and 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.)