07.10.2026
Item No.14
Ct.No.35
dc.
Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (A) 3626 of 2026

In Re : An Application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to Section 438 of the Code of Criminal Procedure, 1973 filed in connection with Harishchandrapur Police Station Case No. 12 of 2026 dated 03.01.2026 under Sections 329(3)/115(2)/117(2)/109/351(3)/3(5) of the Bharatiya Nyaya Sanhita, 2023 (G.R. Case No. 25/2026).

And

In Re : **Md. Abujar @ Abujar**

... Petitioner.

Mr. Milon Mukherjee, Sr. Adv.,
Md. Safiur Rahaman,
Mr. Sourav Paul

... For the Petitioner.

Mr. Gouranga Kumar Das, APP,
Mr. Sanjib Das

... For the State.

Learned senior advocate appearing for the petitioner submits that although the petitioner was in the group of persons who were present at the time of agitation, but the vital blow was inflicted upon Md. Hefjur Rahaman by one Anarul Hoque and upon Md. Afzal Hossain by one Kasimuddin. Both the said accused persons who inflicted vital blows were arrested and subsequently released on bail.

Learned advocate appearing for the State, on the other hand, opposes the prayer for anticipatory bail and emphasises on the petitioner being present in the assembly who were aggressive.

I have taken into account the facts presently existing pursuant to the charge-sheet having been submitted. Having considered the overall circumstances of the case, at this

stage, I am of the opinion that custodial detention of the present petitioner in connection with the instant case is unwarranted. As such, the prayer for anticipatory bail of the petitioner is **allowed**.

Accordingly, in the event of arrest, the petitioner viz., **Md. Abujar @ Abujar** shall be released on bail to the satisfaction of the Arresting Officer on such terms and conditions as he deems fit and proper 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 Bharatiya Nagarik Suraksha Sanhita, 2023.

As the charge-sheet has already been submitted before the jurisdictional court, this order of anticipatory bail will remain in force for a period of six weeks from date.

Memo of Evidence submitted by the learned advocate appearing for the State be kept with the record.

The application for anticipatory bail, being CRM (A) 3626 of 2026, is, thus, disposed of.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

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

(Tirthankar Ghosh, J.)