07.10.2026
Court No.35.
D/L. 18.
Kausik
(Allowed)

CRM (A) 3631 of 2026

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973/Under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Nalhati Police Station Case No. 318 of 2026 dated 22.06.2026 under Sections 329(4)/115(2)/117(2)/118(2)/3(5) of the BNS, 2023.

And

In the matter of : Sufian Sk. @ Sofiyan Sekh & Ors.

.....Petitioners.

Mr. Samrat Banerjee
Mr. Raja Roy

.....for the Petitioners.

Mr. Subrata Mokerjee
Ms. Anita Pandey
Mr. Anurag Sardar

....for the State.

Learned advocate appearing for the petitioners submits that petitioners are brothers and associates of the father-in-law of the injured.

State has opposed the prayer for anticipatory bail and submitted that injured has named the present petitioners. Records of the case reflect that earlier a case being Nalhati Police Station Case No. 319 of 2026 was instituted by one Monira Khatun being the relation of the present petitioners.

Having considered the overall circumstances and the genesis of the case arising out of matrimonial dispute, I am of the opinion that custodial detention of the present petitioners may not be warranted and relief be granted on stringent grounds.

Accordingly, prayer for anticipatory bail is allowed.

As such, I direct that in the event of arrest, the petitioners, namely, (1) **Sufian Sk. @ Sofiyan Sekh**, (2) **Safikul Sk.**, (3) **Basu Sk @ Basarul Sekh** be released on bail subject to the satisfaction of the investigating officer/arresting officer of the case and also subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and/or under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

Petitioners shall stay outside the jurisdiction of Nalhati Police Station and report to the jurisdictional police station once a week till further orders of the jurisdictional Magistrate.

Additionally, petitioner shall inform the investigating officer of the case within a week from date relating to the address where they would be residing and make themselves available as and when called for by the investigating officer of the case.

With the aforesaid observations CRM (A) 3631 of 2026 is **allowed**.

Memo of Evidence submitted be kept with the record.

All parties shall act in terms of server copy of the order 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.)