

AD 45
January 19, 2026
Ct. 28
SG

Partly Allowed

CRM(A) 4149 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Uluberia P.S. Case No.455 of 2025 dated 19.09.2025 under Sections 126(2)/115(2)/117(2)/118(2)/74/3(5) of the BNS.

And

In the matter of:

Josimuddin Khan and another

... petitioners

Mr. Subhasish Pachhal

... for the petitioners

Mr. Saibal Bapuli, Id. APP

Mr. Subhasish Datta

... for the State

Learned counsel for the petitioners submits that the de facto complainant is the brother of the petitioner No.1 and the petitioner No.2 is the wife of the petitioner No.1. There was a dispute between family members. Both sides suffered injuries, but none was grievous in nature. A complaint was filed after a delay of about seven days. The application filed from the side of the petitioners, was entertained later.

Learned counsel for the State opposes the prayer for anticipatory bail and refers to the injury report showing stab injury and the statements of victims and other witnesses. However, he submits that the main allegations are against the petitioner No.1.

Considering the above, the other materials available in the case diary and the alleged role ascribed to each of the petitioners, while I am inclined to grant anticipatory bail to the petitioner No.2, the prayer for anticipatory bail of the petitioner No.1 (Josimuddin Khan) is rejected.

In the event of arrest, the petitioner No.2 (Smt. Susmita Roy) 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 No.2 shall cooperate with the investigation and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, disposed of.

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

(Jay Sengupta, J.)