

05.01.2026
Sl. No.64
NB

CRM (A) 4210 of 2025

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 Beldanga PS Case No.216/2024 dated 25.03.2024 under Section 326/307/34 of the Indian Penal Code.

And

In the matter of: Naharul Sk @ Naharul Hoque & Ors.

... petitioners

Mr. Arnab Chatterjee,
Mr. Anisur Rahman.

...for the petitioners.

Mr. Arindam Sen,
Mr. Dipankar Paramanick.

...for the State.

Learned counsel appearing on behalf of the petitioners submits that this is the second application for anticipatory bail. The first application was rejected by a Division Bench of this Court on 20.05.2024, inter alia, on the ground that the injured had suffered injury due to bomb blast. However, a charge sheet has been submitted now, though not under the provisions of the Explosives Substances Act.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He submits that the second application for anticipatory bail is not maintainable without any substantial change in circumstances. A charge sheet could not be submitted under the provisions of the Explosives Substances Act as the hearing on the question of sanction was going on. The said hearing has since been completed and a final order is yet to be passed. After passing of the final order, the appropriate provisions will be included.

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.

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.)