

28/01/2026
D/L – 34
Court No.28
S. Kundu
Partly Allowed

C.R.M.(A) 06 of 2026

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Kharagpur P.S case no. 1045 of 2025 dated 27/11/2025 under sections 115(2)/117(2)/109(1)/304(2)/3(5) of the BNS.

In the matter of: Sk. Kasem @ Sk. Kasem Ali & Ors.

...Petitioners.

Mr. Amit Ranjan Pati
Mr. Sunayan Ghosh
Ms. Swastika Chowdhury
Ms. K. Kubra
Mr. A. Goswami

...for the petitioners.

Mr. sharman Sarkar
Ms. Ilika Nag

...for the de-facto complainant.

Mr. Debabrata Chatterjee
Mr. Anindya sundar Chatterjee

...for the State.

1. Learned counsel appearing on behalf of the petitioners submits as follows. The father of the petitioner no. 1 was injured by the motor bike driven by the de-facto complainant. A scuffle took place. The petitioner no. 1 filed a complaint. As a counterblast, after about one month an application was filed under Section 175(3) of the BNSS. The petitioners have been falsely implicated in this case.
2. Learned counsel appearing for the de-facto complainant strongly opposes the prayer for anticipatory bail. She submits that the delay in lodging the complaint has been

explained in the application under Section 175(3) of the BNSS.

3. Learned counsel appearing for the State opposes the prayer for anticipatory bail. He relies on the injury report, the statements of the victim and other local witnesses. As per the injury report, injuries were caused on both eyes. There was sub-conjunctival hemorrhage and there was a possible rupture of conjunctiva. The independent witnesses have specifically taken the names of the petitioner nos. 2, 3 and 4.
4. 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 nos. 1, 5 and 6 namely, (Sk. Kasem @ Sk. Kasem Ali, Sk. Aziz @ Sk. Ajij and Bhank Khan @ Voko @ Nezamuddin Sha @ Nejamuddin Sha), the application for anticipatory bail of the petitioner nos. 2, 3 and 4 is rejected.
5. In the event of arrest, the petitioner nos. 1, 5 and 6 shall be released on bail upon furnishing a bond of Rs.10,000/- each 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 further conditions that the said petitioners shall cooperate with the investigation and shall not threaten or intimidate the

witnesses. The said petitioners shall meet the I.O once a week till submission of report in final form.

6. Accordingly, the application for anticipatory bail is allowed-in-part.
7. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)