

22.01.2026
Court No.28
Item No.73
tbsr
Reject

CRM (A) 4425 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Harishchandrapur** P.S. Case No. **609 of 2025** dated **20.06.2025** under Sections **109, 117(2), 118(1), 329(4), 351(3), 76, 232, 3(5)** of the BNS Act, 2023.

And

In the matter of: Md. Ehesan @ Ashan & Ors.

....Petitioners.

Mr. Sagar Saha
Ms. Nayana Mukhopadhyay
...for the petitioners

Ms. Sujata Das
Md. Ejaz Akhtar
....for the State

Learned counsel appearing on behalf of the petitioners submits that this is a second application for anticipatory bail. Earlier, this Court rejected the anticipatory bail application of the petitioners based on a submission made by the State that the injury report showed infliction of injury on the eye which required dressing and sutures. However, after collecting the copy of the injury report, it appears the doctor opined that the injury was clinically not so serious.

Heard the learned counsel for the State.

The submission made on behalf of the State earlier, that there was an injury on the eye, which required dressing and sutures is not negated.

An opinion of the particular doctor while preparing the injury report, that too making it subject to medical reports, can hardly be a ground for entertaining a second prayer for anticipatory bail.

Moreover, at the conclusion as present in the order sheet dated 11.09.2025, it was clearly recorded that “considering the above and other incriminating materials available in the case diary,” the application for anticipatory bail was rejected.

The facts remain the same. There is no substantial change in the circumstance. In fact, the sections under which the FIR was registered and investigation was going on also remained the same in the charge sheet.

Therefore, I do not find any material change in circumstances to warrant entertaining of a second application for anticipatory bail.

Accordingly, the same is rejected as not maintainable.

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.)