

21
03.04.2019
Circuit Bench
Rrc
(Rejected)

C.R.M. 53 of 2019

Re : An application for bail under section 438 of the Code of Criminal Procedure, 1973.

In the matter of : **1. Anwar Hossain @ Anwar Ali**
2. Ashraful Miya
3. Idrish Miya @ Md. Idrish Ali
4. Kashim Mia @ Nur Kashim Patowari

..... petitioners

Mr. Soumajit Kumar Dey

.....for the petitioners

Mr. Saikat Chatterjee

..... for the State

Apprehending arrest in connection with Sitai Police Station F.I.R. No. 77 of 2015 dated 16th August, 2015 registered under Sections 147/148/149/186/332/333/379/511/506 of the Indian Penal Code read with Section 3 of the Prevention of Damage to Public Property Act, 1984, the petitioners seek bail.

We have heard learned advocates for the parties and perused the materials in the case diary.

Although Mr. Dey, learned advocate for the petitioners has strenuously contended that police report (charge-sheet) under Section 173 (2) of the Code of Criminal Procedure, 1973 has been submitted and hence, custodial interrogation of the petitioners is not necessary, we are of the view having regard to the nature of allegations and the gravity of offences alleged to have been committed by the petitioners that this is not a fit and proper case for making a direction, as prayed for.

Accordingly, C.R.M. 53 of 2019 is rejected.

(Shivakant Prasad, J.)

(Dipankar Datta, J.)