

(via Video conference)

42 06.10.2020

Dd

**CRM 7441 of 2020
with
CRAN 1 of 2020**

In Re – An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Indpur Police Station case no. 31 of 2020 dated 19.07.2020 under Sections 341/323/324/326/506/34 and adding section 304 of the Indian Penal Code.

In the matter of : **Jaydeb Bauri & Ors.**Petitioners

Mr. D. N. Chatterjee
Mr. M. S. Mondal
....for the Petitioners

Mr. Sandip Chakraborty
... ...For the State

The petitioners undertake to affirm and stamp the petition as per the Rules within one month of resumption of normal functioning of the Court. The petition is taken up through video conference on the basis of such undertaking. Accordingly, the application being CRAN 1 of 2020 stand disposed of.

Learned counsel for the petitioners submits that the petitioners are no way involved in the commission of the alleged offence. In fact, one of the co-accused has been granted anticipatory bail.

Learned counsel for the State opposes the prayer for anticipatory bail and submits that three eye-witnesses in their statement under Section 161 of the Code of Criminal

Procedure has named the petitioners and there are enough material to show that he was instrumental in inflicting injury upon the victim who ultimately had expired.

Having considered the materials on record and the extent and nature of complicity of petitioners in the commission of the offence as disclosed from the case diary, we are not inclined to grant anticipatory bail to the petitioners.

Accordingly, application for anticipatory bail is rejected.

(Saugata Bhattacharyya, J.)

(Soumen Sen, J.)