

20.10.2020
SI No.89
AP

CRM 7972 of 2020
(Through Video Conference)

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Rampurhat** Police Station Case No.**194/2020** dated **10.06.2020** under Sections **144/323/325/326/307/506/34** of the Indian Penal Code and subsequently adding Section **302** of the Indian Penal Code.

And

In Re: **Nitai Ghosh @ Nilu & Ors.**

... .. Petitioners.

Mr. Bitasok Banerjee

... for the petitioners.

Mr. Sudip Ghosh,

Mr. Apurba Kumar Datta

... .. for the State.

It is submitted on behalf of the petitioners that a different narration with regard to the assault on the deceased is set out in the counter case.

Learned lawyer for the State opposes the prayer for anticipatory bail and submits that the petitioners conjointly assaulted the victim who died.

We have considered the materials on record. Version with regard to the nature of assault is transpiring from the counter case cannot be treated as sacrosanct. There are statements of witnesses supporting the allegations made in the first information report disclosing complicity of the petitioners in the conjoint assault on the deceased. In view of the gravity of the offence, we are not inclined to grant anticipatory bail to the petitioners.

The application for anticipatory bail is, thus, rejected.

(Md. Nizamuddin, J.)

(Joymalya Bagchi, J.)