

17.12.2020

tkm

sl no. 86

**C.R.M. 8905 of 2020
(via video conference)**

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Nalhati PS case no. 140 of 2020 dated 9.8.2020 under sections 448/323/324/325/326/354/307/506/34 of the IPC

And

In Re : Tutul Sekh & Ors.

..... petitioners

Mr. B Mitra

..... for the petitioners

Mr. N P Agarwala

Ms. M Sharma

..... for the State

Statements of witnesses disclose prima facie involvement of the petitioners in assaulting the victim. Injury report discloses fracture and grievous injury. Prayer for pre-arrest bail of Sabir Ali who is an army personnel and was posted in Jammu & Kashmir at the material point of time does not help the petitioners who ordinarily reside in and around the locality and were seen by the villagers whose statements were recorded under section 164 Cr.P.C.

In view of the materials on record and the prima facie involvement of the petitioners therein, we are of the opinion this is not a fit case to grant anticipatory bail to the petitioners.

Accordingly, prayer for anticipatory bail is rejected.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)