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CRM 9187 of 2020

(Via Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Palashipara P.S. Case No.79 of 2020 dated 20.04.2020 under Sections 341/447/325/326/307/34 of the Indian Penal Code and subsequently added Section 302 of the Indian Penal Code.

And

In the matter of: Amar Biswas & Ors.

....Petitioners.

Mr. A. Basu

...for the Petitioners.

Mr. N. Ahamed

Ms. A. Gaur

...for the State.

It is submitted on behalf of the petitioners that there was case and counter case between the parties. One of the petitioners, that is, petitioner No.4 sustained injuries and fractured his arm and was hospitalized from 26th April, 2020 to 29th April, 2020.

Learned lawyer for the State submits that petitioners are absconding and they have been declared proclaimed offenders.

Having considered the materials on record and in view of the prima facie involvement of the petitioners in the alleged crime and since the petitioner No.4 was admitted only for three days for medical treatment and thereafter had absconded and all of them had been declared proclaimed offenders, we are of the opinion that this is not a fit case to grant anticipatory bail to the petitioners.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)