

**CRM 11267 of 2020
(via Video Conference)**

In re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Tehatta PS Case No. 451 of 2019 dated 05.10.2019 under Sections 341/186/353/332/224/323/307/384/34 of the Indian Penal Code.

In the matter of : **1. Bipadh Roy @ Bipad Vhangan Ray**
2. Parimal Roy

..... petitioners

Mr. Sarwar Jahan
Mr. A. Mondal

....For the petitioners

Mr. Arijit Ganguly
Mr. Sanjib Kumar Dan

.....For the State

The petitioners seek anticipatory bail primarily on the ground that Section 307, IPC, under which charges are levelled against the accused persons, is not attracted in respect of the petitioners even *prima facie*.

It is submitted that the some of the other accused already approached the competent court and obtained bail. As such, the petitioners reasonably apprehend arrest in connection with the matter and pray for anticipatory bail.

Learned counsel appearing for the State hands up the case diary and submits that charge sheet has already been filed in the matter and Section 307 IPC appears in the list of offences for which the charges have been framed.

It would be premature to go into the merits of the question, as to whether the nature of the allegations made have led to an offence under Section 307 of the IPC, at this juncture.

Accordingly, CRM 11267 of 2020 is disposed of.

The petitioners are directed to surrender before the appropriate court and seek regular bail.

Urgent certified copy of this order, if applied for, be handed over to the parties on the usual undertaking.

(Saugata Bhattacharyya, J.)

(Sabyasachi Bhattacharyya, J.)