

19.01.2021

**Court No.28
rpan / 209**

C.R.M. 222 of 2021

(Via Video Conference)

In Re:- An application for anticipatory bail under section 438
of the Code of Criminal Procedure ;

And

In Re : Akhtarul Sk & Another

....Petitioners.

Mr. Tapan Dutta Gupta,

Mr. Parvej Alam

....for the Petitioners.

Mr. Rana Mukherjee,

Mr. Goutam Wilson

... for the State.

Apprehending arrest in connection with Mothabari P. S.
Case No. 230 of 2020 dated 25.06.2020 under Sections
448/323/427/436/506/34 of the Indian Penal Code, the
petitioners have filed the present application.

The learned advocate for the petitioners submits that
the petitioners have been falsely implicated in the instant
case wherein more than one hundred people were involved
and the present petitioners have been named because of
previous enmity. Additionally, the learned advocate submits
that the petitioners would abide by all the conditions imposed
by this Court, in case they are granted the privilege of
anticipatory bail.

Learned advocate for the State opposes the prayer and
draws attention of this Court to the seizure list as well as the
witnesses whose houses were set on fire.

We have perused the materials in the case diary and assessed the complicity of the present petitioners in the alleged offence. Having regard to the incriminating materials appearing against the petitioners, we are of the opinion that custodial detention of the petitioners is warranted in connection with this case. As such, the prayer for anticipatory bail is rejected.

The application for anticipatory bail, being CRM 222 of 2021, is, thus, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)