

15.02.2021
Item No.228
Ct.No.28
Subha
rejected

C.R.M. 434 of 2021
(Via Video Conference)

In Re : An Application for anticipatory bail under Section 438
of the Code of Criminal Procedure.

And

In the matter of : Hafijur Rahaman ... Petitioner.

Mr. Arnab Saha
Mr. Abhimunya Banerjee
... For the Petitioner.

Mr. Madhusudan Sur.
Mr. Manoranjan Mahata
... For the State.

Apprehending arrest in connection with Murarai
Police Station Case No. 62 of 2020 dated 22.06.2020 under
Sections 341/324/325/326/307/302/34 of the Indian Penal
Code, the present application has been filed.

Learned advocate appearing for the petitioner
submits that there was a free fight between two rival groups
and the petitioner has been falsely implicated. No specific
role was attributed to the petitioner. He also suffered
grievous injury for which he had to be hospitalized.
Pursuant to the same incident, a counter case was filed and

the same is pending. In the said conspectus, custodial detention of the petitioner is not warranted.

Learned advocate appearing for the State opposes the prayer for anticipatory bail of the petitioner and draws the attention of this court to the statement of the injured person recorded under Section 164 of the Code of Criminal Procedure.

Having heard the learned advocates and considering the materials available in the case diary, the gravity of the offence, the injury report and the extent of complicity of the petitioner in the alleged offence, we are of the opinion that the petitioner is not entitled to the privilege of anticipatory bail.

The application being CRM 434 of 2021 is, accordingly, dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)