

15.02.2021
Item No.231
Ct.No.28
Subha
rejected

C.R.M. 436 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 : Chandra Bhusan Shaw @ Raja Shaw & Anr.
... Petitioners.

Mr. Mrityunjoy Chatterjee
Mr. Susnigdho Bhattacharyya
... For the Petitioners.

Mr. Md. Anwar Hossain,
Mr. Benazir Hossain
... For the State.

Mr. Soumya Basu Roy Chowdhuri
..for the de facto complainant.

Apprehending arrest in connection with Liluah
Police Station Case No. 364 of 2020 dated 05.12.2020 under
Sections 341/448/323/326/325/354B/379/506/34 of the
Indian Penal Code, the present application has been filed.

Learned advocate appearing for the petitioners
submits that there was a case and counter-case between the
present petitioners and the de facto complainant at whose
instance the case has been initiated. Learned advocate for
the petitioners also submits that Liluah P. S. Case No. 363 of

2020 was also registered pursuant to complaint initiated at the instance of Sabita Devi, who happens to be the wife of Mahindra Roy who has been injured in the present case.

Learned advocate appearing for the State opposes the prayer for anticipatory bail of the petitioners and draws the attention of this court to the injury report as also the statement of the witnesses who have seen the incident to occur.

Having regard to the manner in which the victim was assaulted and the injury has been suffered by him at the instance of the present petitioners, we do not consider that this is a fit case for extending the privilege of anticipatory bail to the petitioners.

The application being CRM 436 of 2021 is, accordingly, rejected.

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.)