

09.02.2021
Court No.28
rpan/05
(Via Video Conference)

C.R.M. 567 of 2021

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

And

In Re : **Rajive Sk. @ Rajib Sk. & Another**
....Petitioners.

Mr. Rajdeep Majumder,
Mr. Moyukh Mukherjee,
Mr. Anisur Rahman,
Mr. Pritom Roy,
Mr. Sarthak Mondal
....for the Petitioners.

Mr. Rudradipta Nandy
... for the State

Apprehending arrest in connection with Chapra P. S. Case
No. 505 of 2020 dated 17.12.2020 under Sections
186/353/307/34 of the Indian Penal Code and Sections 25/27
of the Arms Act, the petitioners have filed the present
application.

The learned advocate for the petitioners submits that
the petitioners are innocent and the present FIR was initiated
on the basis of political rivalry. The learned advocate further
submits that on the self-same incident another case has been
registered against the present petitioners and the injuries
referred to are simple in nature. The learned advocate for the
petitioners adds that other co-accused persons, who were

arrested in connection with this case, have already been granted bail.

The learned advocate for the State opposes the prayer and draws the attention of this Court to the statements of the witnesses under Section 164 of the Code of Criminal Procedure as well as the antecedents of the present petitioners.

We have perused the materials in the case diary particularly the statements of the witnesses, the injury reports and the previous cases, being Chapra Police Station Case No. 42/17 dated 07.02.2017, Chapra Police Station Case No.82/18 dated 23.04.2018 and Chapra Police Station Case No.15/21 dated 06.01.21. Having regard to the antecedents of the petitioner no.1, we are not inclined to extend the privilege of anticipatory bail to the petitioner no.1, **Rajive Sk. @ Rajib Sk.**, and as such, his prayer for anticipatory bail is rejected.

So far as the petitioner no.2 is concerned, his prayer for anticipatory bail is allowed.

Accordingly, in the event of arrest the petitioner no.2, viz. **Ranju Sk.**, shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. The petitioner no.2 shall meet with the Investigating Officer of the case once a week until further orders.

The application for anticipatory bail, being CRM 567 of 2021, is, thus, disposed of.

Let case diary be returned to the learned advocate appearing for the State.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)