

09.04.2021

Item No.250

Ct.No.28

dc.

C.R.M. 706 of 2021

(Via Video Conference)

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

And

In Re : **Sk Sakim**

... Petitioner.

Mr. Suvadip Bhattacharjee

... For the Petitioner.

Mr. Nguive Ahmed,
Ms. Amita Gaur

... For the State.

Apprehending arrest in connection with Khanakul P.S. Case No. 97 of 2020 dated 01.04.2020 (G.R. Case No. 384 of 2020) under Sections 341/323/504/506/34 of the Indian Penal Code, Sections 25/27 of the Arms Act and Sections 3 and 4 of Explosive Substance Act, the present application has been preferred.

We have perused the materials on record and the statement incorporated therein.

Having regard to the statement of the witnesses and the fact that there were firing and hurling of bombs, we do not think that this is a fit case for granting relief under Section 438 of the Code of Criminal Procedure.

However, the petitioner will be at liberty to approach the learned court below for regular bail and the learned court would independently consider the materials available without being influenced by any of the observations made by this Court.

The application for anticipatory bail, being CRM 706 of 2021 is, thus, disposed of.

(Tirthankar Ghosh, J.)

(Soumen Sen, J.)