

12.04.2021
SL No.279
Court No.28
(gc)
(Dismissed)

CRM 756 of 2021
(Via video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Hariharpara Police Station Case No.40 of 2020 dated 07/02/2020 under Sections 341/325/326/307/34 of the Indian Penal Code and adding Section 302 of the Indian Penal Code.

And

In the matter of : **Balaram Roy**

Petitioner

Mr. Mazhar Hossain Chowdhury,
Mr. Suman Karmakar,
Ms. Arina Bhattacharjee,
... For the Petitioner.

Mr. Sudip Ghosh,
Mr. Apurba Kumar Datta,
... For the State.

Learned Counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case.

Learned Counsel for the State, however, opposes the prayer for anticipatory bail and draws the attention of this Court to the statement of the witnesses as well as the statement of the victim. We have perused the case diary as well as the injury report. The rowdy activity of the petitioner during immersion of Goddess Swarswati led to the unfortunate incident. With regard to heinous nature of crime committed by the petitioner, we are not inclined to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail is rejected.

The application for anticipatory bail, being CRM No.756 of 2021 is, thus, dismissed.

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

(Tirthankar Ghosh, J.)

(Soumen Sen, J.)