

13.04.2021

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Rejected

C.R.M. 855 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Mogra Police Station Case No. 241 of 2020 dated 01.10.2020 under Sections 341/323/325/304/34 of the Indian Penal Code.

And

In the matter of: **Sk. Amirul & Anr.**

...Petitioners

Mr. Tanmay Chowdhury ... For the Petitioners

Mr. Swapan Banerjee

Mr. Suman De ... For the State

The learned advocate for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the instant case.

Mr. Swapan Banerjee, learned advocate for the State, produces the case diary and refers to the statement of the witnesses as well as the medical opinion.

We have perused the post-mortem report and we find that the death of the victim was because of an injury caused by a blunt object in the intrathoracic region. On cumulative appreciation of the materials we discard the benefit of anticipatory bail. As such, the petitioners are not entitled to the privilege of anticipatory bail.

Accordingly, the prayer for anticipatory bail is rejected.

CRM 855 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.)

