

27.04.2021
Item No.288
Ct.No.28
subha
rejected

C.R.M. 1009 of 2021
(Via Video Conference)

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Chanchal Police Station No.253 of 2020 dated 29-02-2020 under Sections 295A/186/353/120B of the Indian Penal Code and under Section 8(b) of the National Highways Act(G. R. Case No. 679/2020).

And

In the matter of : **Anirul Hoque @ Anerul Hoque @ Babul & Ors** Petitioners.

Mr. Sagar Saha
... For the Petitioners.

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

Apprehending arrest in connection with Chanchal Police Station Case No. 253 of 2020 dated 29-02-2020 under Sections 295A/186/353/120B of the Indian Penal Code and Section 8(b) of the National Highways Act, the present application has been filed.

Mr. Saha, learned advocate appearing for the petitioners submits that the present petitioners are innocent.

The allegations levelled against them are unfounded and they have been falsely implicated. In view thereof, custodial interrogation of the present petitioners is not necessary.

Mr. Ghosh, learned advocate appearing for the State opposes the prayer for anticipatory bail and draws the attention of this court to several documents in the case diary.

He further submits that the present petitioners herein caused communal disharmony and overt acts had been attributed to them, as would be evident from the records.

Having heard the learned advocates and considering the materials available in the case diary, the gravity of the offence, the nature of the allegations and the extent of complicity of the petitioners in the alleged offence, we are of the opinion that this is not a fit case for granting the relief of anticipatory bail to the present petitioners and as such, their prayer for anticipatory bail is rejected.

The application being CRM 1009 of 2021 is, accordingly, dismissed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)