

04.08.2021
Item no. 17
Court No.32.
S.De
(rejected)

(Via Video Conference)

CRM No. 1673 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 09.02.2021 in connection with Baishnabnagar Police Station Case No. 432 of 2020 dated 20.08.2020 under Sections 447/324/326/354(B)/307/34 of the Indian Penal Code.

And

In the matter of : Kabir Sekh.

.....Petitioner.

Mr. Mounick Ghosh, Advocate,
.....for the Petitioner.

Mr. S.S. Imam, Advocate,
Mr. S. Kundu, Advocate,
.....for the State.

The charge is inter alia under Sections 324/326/354(B)/307 of the Indian Penal Code. The petitioner is one of the eleven accused persons. One of them has been arrested. The petitioner seeks anticipatory bail.

We have seen the material in the case diary including the statements of the victim as also the medical report. The injury seems to be significant. The statements also specifically name the petitioner.

Having considered the facts and circumstances of the case and the nature and gravity of the charge, we are not inclined to extend the privilege of anticipatory bail to the petitioner.

The application for anticipatory bail is rejected.

However, in the event, the petitioner surrenders before the learned Trial Court within a week from date, he shall not be arrested within a period of one month from date and shall be entitled to apply for regular bail before the appropriate Court in the mean time. If such application is made, the same shall be decided upon notice to the State, in accordance with law, without being influenced by any observation in this order.

CRM 1673 of 2021 is, accordingly, disposed of.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)