

20.05.2021
tkm/ct 28
sl no. 63

C.R.M. 1748 of 2021
(via video conference)

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Daspur P.S case no.117 of 2020 dated 20.3.2020 under sections 341/323/325/307/354B/506/34 of the Indian Penal Code

And

In Re : Sk Noor Mahammad @ Boro @ Sk Noor Mahammad Ali
..... petitioner

Mr. Ramashis Mukherjee

..... for the petitioner

Mr. Arijit Ganguly
Mr. S K Dan

..... for the State

It is submitted on behalf of the petitioner that co-accused persons have been granted pre-arrest bail and he has been falsely implicated in the instant case.

Learned lawyer for the State opposes the prayer for anticipatory bail and refers to the statement of witnesses under section 161 of the Cr.P.C and injury report of the victim.

Having considered the materials in the case diary and bearing in mind the statement of the victim recorded under section 161 of the Cr.P.C implicating the petitioner and nature of injury of the victim, we are of the opinion that the petitioner does not stand on the same footing with the co-accused persons who have been granted anticipatory bail and this is not a fit case to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail is rejected.

(Suvra Ghosh, J.)

(Soumen Sen, J.)