

28 09.06.2021
S.K/ Ct. No.28
S.M

C.R.M. 2072 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **23/02/2021** in connection with **Nandakumar** P.S. Case No. **349 of 2020** dated **03/11/2020** under Sections 341/447/325/326/354/379/307/506/34 of the Indian Penal Code.

And

In the matter of: Sudarshan Das & Ors.

....petitioners.

Mr. Sabir Ahmed,
Mr. Apan Saha

...for the petitioners.

Mr. Swapan Banerjee,
Ms. Purnima ghosh

...for the State.

The application for anticipatory bail under Section 438 CrPC has been filed apprehending arrest in connection with Nandakumar P.S. Case No. 349 of 2020 dated 03.11.2020 under Sections 341/447/325/326/354/379/307/506/34 of the Indian Penal Code.

Mr. Sabir Ahmed, learned counsel for the petitioners vehemently argued before this Court that since the charge-sheet has already been filed in the matter there is no need for any custodial interrogation. He further submits that in the event the petitioners are arrested the chances of any settlement of the dispute between the parties will be frustrated.

Counsel for the State submits that the case diary, injury report indicate that the injuries are quite serious. The seizure list indicates that iron rods were used by the accused for assault. It is further submitted that the warrant has been issued by the

Court below while receiving charge-sheet.

In so far as the argument of Mr. Ahmed that unless bail is granted, settlement between the parties will be frustrated, this court is unable to countenance to the same. The settlement between the parties if at all cannot obliterate the crime they have been charged with.

Hence the application for anticipatory bail is rejected.

The parties shall act in terms of the copy of the order downloaded from the official website of this court.

(Biswajit Basu, J.)

(Rajasekhar Mantha, J.)