

40. 13.08.2021
Ct.32
Tanmoy
Dismissed

C.R.M. 2639 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **12/03/2021** in connection with **Kharagpur Local Police Station Case No. 68/2021** dated **23/01/2021** under Sections **341/323/326/313/307/34** of the Indian Penal Code.

And

In the matter of: - **Piyar @ Piayar Ali**

....petitioner.

Mr. Sabir Ahmed,
Mr. Sudip Kushari

...for the petitioner.

Mr. Abhra Mukherjee,
Mr. Goutam Banerjee

...for the State.

The allegation against the petitioner is, *inter alia*, under Sections 326/313/307 of the Indian Penal Code. It is submitted on behalf of the petitioner that there was an altercation between the victim lady and the wife of the petitioner, during which the ladies assaulted each other. Both the ladies suffered injuries.

Learned Counsel for the State refers to the Case Diary including the medical reports of the victim which *prima facie*, indicate that the victim lady suffered “missed abortion” about a week after the alleged incident.

We have considered the material in the Case Diary. Investigation is in progress. The allegations are grave. The petitioner has been named as one of the assailants in statements of neighbours recorded under Section 161 of the Code of Criminal Procedure.

Having considered the material available in the Case Diary and the extent of involvement of the petitioner in the alleged crime and as investigation is in progress, we are not inclined to grant anticipatory bail to the petitioner.

Accordingly, the application for anticipatory bail being C.R.M. 2639 of 2021 is **dismissed**.

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

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)