

19 07.06.2021
S.K/ Ct. No.28
S.M

C.R.M. 3091 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **05/04/2021** in connection with Bishnupur P.S. Case No. **18 of 2021** dated **09/01/2021** under Sections 341/304/34 of the Indian Penal Code.

And

In the matter of: Rafik Sarkar @ Volu Sarkar & Anr.
....petitioners.

Mr. Sekhar Kumar Basu, Sr. Adv.,
Mr. Saryati Datta,
Ms. Raya Rudra
...for the petitioners.

Mr. Saibal Bapuli, APP,
Mr. Soumik Ganguli
...for the State.

The application for anticipatory bail has been filed by the accused no. 1 in FIR Case No. 18 of 2020 of Bishnupur Police Station Case No. 18 of 2021 dated 09.01.2021. The case against the petitioners have been registered under Sections 341/304 read with Section 34 of the Indian Penal Code.

Counsel for the petitioners submits that the dispute is private in nature and the victims have also caused injuries to the petitioners and an application under Section 156 (3) CrPC has been filed by the wife of the petitioner no. 1.

Having considered the statements under Section 164 CrPC of the eyewitness/complainant and also the name of the petitioner no. 2 having featured in the statement under Section 161 CrPC and the nature of the evidence that appears to be on record, this Court is not inclined to entertain the application for anticipatory bail.

Hence, C.R.M. 3091 of 2021 stands dismissed.

No order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)

(Rajasekhar Mantha, J.)