

30.07.2021

(Via Video Conference)

Court No. 28
Item No. PB - 28
nandy

CRM 3437 of 2021

(bail - rejected)

In Re: An application for **Bail** under Section **439** of the Code of Criminal Procedure filed on 20.04.2021 in connection with Murshidabad Police Station Case No. 666 of 2019 dated 18.11.2019 under Sections 448/325/304/34 of the Indian Penal Code. (G.R. Case No. 4528 of 2019)

and

In the matter of: **Muntaz Sk. & Anr.**

..... Petitioners

Mr. Asim Kumar Chakraborti, Advocate

.....for the Petitioners

Ms. Faria Hossain, Advocate

Mr. Aniket Mitra, Advocate

..... for the State

The petitioners have filed the instant application for bail in connection with Murshidabad Police Station Case No. 666 of 2019 dated 18.11.2019 under Sections 448/325/304/34 of the Indian Penal Code.

The learned Advocate for the petitioners submits that the petitioners have been implicated in the instant case on the allegation that they along with other persons have forcibly entered into the house of the de facto complainant and assaulted the family members. It is further stated that there is an omnibus allegation against all and no specific role can be attributed to the petitioners for commission of the alleged offence.

On the other hand, the learned Advocate for the State opposes the prayer for bail and invites our attention to the statement of the injured persons recorded under Section 161 of the Code of Criminal Procedure disclosing the complicity of the petitioners to the alleged offence.

After perusal of the materials in the case diary including the

statement of the witnesses recorded under Section 161 of Code of Criminal Procedure disclosing the role of the petitioners attributable to the commission of the said offence and hearing the submissions advanced before us, we do not think it is a fit case where the petitioners should be enlarged on bail.

As such, the prayer for bail is **rejected**.

The application being **CRM 3437 of 2021** accordingly **dismissed**.

(Harish Tandon , J.)

(Bibek Chaudhuri, J.)