

04.10.2021
Item no.37.
Court No.32.
AB
(Rejected)

(Via Video Conference)

CRM No. 3496 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Rampurhat Police Station Case No.4 of 2021 Dated 6.1.2021 under Sections 341/302/34 of the Indian Penal Code read with Sections 25/27/35 of the Arms Act

And

In the matter of: Hasan Sekh & Anr.

.....Petitioners.

Mr. Avik Ghatak,
Mr. Bitoshok Banerjee,
Mr. A. Salam for the Petitioners.

Mr. Madhusudan Sur, Id. APP,
Mr. Dipankar Paramanik.....for the State.

The petitioners seek anticipatory bail in connection with offence under Sections 341/302/34 of the Indian Penal Code read with Sections 25/27/35 of the Arms Act.

Learned Advocate appearing for the petitioners submits that they are not the principal assailants and further, there is no specific allegation against these petitioners and, accordingly, their prayer for anticipatory bail may be considered and allowed.

Learned Advocate for the State opposes the prayer for anticipatory bail of the petitioners and submits that from the statements of the witnesses recorded under Section 161 as well as 164 of the Code of Criminal Procedure, the involvement of

these petitioners is very much apparent in the alleged offence and as such, their prayer for anticipatory bail should be rejected.

We have heard learned Advocates of both the sides and perused the material in the case diary. It appears from the statements of the witnesses recorded under Section 164 as well as 161 of the Code of Criminal Procedure that there are allegations of involvement of these petitioners in the alleged offence.

Considering the aforesaid material and the complicity of these petitioners in the alleged offence and also keeping in mind the nature and gravity of the offence, we are not inclined to allow the petitioners' prayer for anticipatory bail.

C.R.M. No.3496 of 2021 is, accordingly, dismissed.

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

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)