

04.10.2021
Item no. 42
Court No.32.
S.De
(Rejected)

(Via Video Conference)

CRM No. 3540 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 22.04.2021 in connection with Kaliachak Police Station Case No. 1050 of 2020 dated 23.12.2020 under Sections 341/323/354/302/34 of the Indian Penal Code.

And

In the matter of : Sujit Singha & Others.

.....Petitioners.

Mr. Arup Kr. Bhowmick, Advocate,
.....for the Petitioners.

Mr. S.S. Imam, Advocate,
Mr. S. Kindu, Advocate,
.....for the State.

The petitioners are six out of eight accused persons.

The allegation is that the accused persons assaulted the victim badly causing him serious injury to which the victim succumbed subsequently.

The petitioners say that they are similarly circumstanced as two other accused persons who have been granted bail by the learned Trial Court. However, the orders are not before us.

It is not disputed on behalf of the State that two accused persons have been granted bail after having been arrested. However, the State opposes the prayer for anticipatory

bail of these petitioners and says that investigation is in progress.

We have considered the statements of witnesses in the case diary and the Post Mortem Report. The statements prima facie implicate the present petitioners. The Post Mortem Report indicates multiple severe injuries having been suffered by the victim.

On an overall assessment of the nature and gravity of the alleged offence and the possible extent of complicity of the petitioners therein, we are not inclined to entertain the petitioners' prayer for anticipatory bail.

Accordingly, CRM 3540 of 2021 is 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.)