

04.10.2021
Item no. 51
Court No.32.
S.De
(Rejected)

(Via Video Conference)

CRM No. 3618 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 27.04.2021 in connection with Bauria Police Station Case No. 54 of 2020 dated 05.06.2020 under Sections 341/307/326/306/34 of the Indian Penal Code.

And

In the matter of : Palash Ghosh.

.....Petitioner.

Mr. Anindya Ghosh, Advocate,
.....for the Petitioner.

Mr. Saswata Gopal Mukherjee, Ld. P.P.,
Mr. Bidyut Kr. Roy, Advocate,
Ms. Ritz Dutta
.....for the State.

The petitioner says that he is one out of three accused persons. The other two accused persons have been granted anticipatory bail by the learned Trial Court. He stands on the same footing. He should be extended the same privilege.

The State produces the case diary. We have seen the statements of witnesses including the statement of the injured victim, a sixteen years old boy. He was playing with a ball. The ball fell in the property of the petitioner who assaulted the boy badly. The boy suffered fracture. He has specifically implicated this petitioner in his statement.

Considering the complicity of the petitioner in the alleged offence and the prima facie incriminating material against him, although charge-sheet may have been submitted, we are not inclined to entertain the petitioner's prayer for anticipatory bail.

Accordingly, CRM 3618 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.)