

08.11.2021
Item no.63.
Court No.32.
AB
(Rejected)

(Via Video Conference)

CRM No. 4083 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Berhampore Police Station Case No.236 of 2019 Dated 26.2.2019 under Sections 302/34 of the Indian Penal Code read with Sections 25/27 of the Arms Act

And

In the matter of: Mojibar Sk. @ Mujibar Sk.

.....Petitioner.

Mr. Somnath Adhikarifor the Petitioner.

Mr. Saibal Bapuli, Id. APP

Mr. Soumik Gangulyfor the State.

The petitioner seeks anticipatory bail in connection with offence under Sections 302/34 of the Indian Penal Code and Sections 25/27 of the Arms Act.

Learned Advocate for the petitioner submits that there is no specific allegation against this petitioner and furthermore, the principal co-accused has been granted bail. Another co-accused has been granted anticipatory bail by this Court.

Learned Advocate for the State opposes such prayer for anticipatory bail and submits that the involvement of this petitioner is very much apparent from the statements of the

witnesses and as such, his prayer for anticipatory bail be rejected.

We have heard learned Advocates of both the sides and perused the case diary.

It is found from the statements of the witnesses recorded under Section 161 of the Code of Criminal Procedure that there are allegations of involvement of this petitioner in the alleged offence. Considering such material in the case diary and keeping in mind the nature and gravity of the alleged offence, we are not inclined to admit the prayer of the petitioner for anticipatory bail.

C.R.M. No. 4083 of 2021 is, accordingly, dismissed.

Urgent Photostat Certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)