

30.11.2021
08
Ct. No 29
KAUSHIK
(REJECTED)

C.R.M 4437 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kaliachak** Police Station Case No. **393** of **2016** dated **24.06.2016** under Sections 341/336/307/34 of the Indian Penal Code read with Sections 25/27 of the Arms Act.

And

In Re : Topi Khalifa @ Md. Tafijuddin Sk. & Ors.

..... petitioners

Mr. Mrityunjoy Chatterjee
Mr. Debapriya Majumdar

.... for the petitioners

Mr. Ashok Das

... for the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that, the police complaint was lodged six months after the incident. The police complaint is the offshoot of the enmity and disputes between the private parties. The petitioners were falsely implicated. In any event, the police filed charge-sheet and, therefore, custodial interrogation of the petitioners are not required.

Learned advocate appearing for the State submits that, the victim suffered gun-shot injury. He draws the attention of the Court to the injury report and the statement recorded under Section 161 of the Code of Criminal Procedure (Cr. P. C.).

Considering the materials in the case diary and considering the gravity of the offence and involvement of the petitioners therein, we are unable to grant anticipatory bail to the petitioners.

Accordingly, prayer for anticipatory bail of the petitioners is rejected and the application being CRM 4437 of 2021 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)