

06.12.21
(S.R.)
Sl.03
Ct.32

CRM No.4658 of 2021

Via video conference

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Ranaghat G.R.P.S.** Case No.05 of 2021 dated 14/03/2021 under Sections 341/326/34 of the Indian Penal Code;

And

In re: Pintu Malakar

... petitioner.

Ms. Minoti Gomes

... for the petitioner.

Mr. Sudip Ghosh

Mr. Bitasak Banrjee

...for the State.

Ms. Gomes, learned advocate appearing for the petitioner submits that there was a free fight between the parties and the petitioner has been falsely implicated. The incident occurred on the spur of a moment without intending the consequences thereof. In the said conspectus, custodial interrogation of the petitioner is not warranted.

Mr. Banerjee, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to several documents in the case diary including the statement of the eyewitness and the injury report.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the nature of allegations, the injury report and the extent of complicity of the petitioner in the alleged offence, we are not inclined to exercise any discretion in his favour.

Accordingly, the application for anticipatory bail being CRM No.4658 of 2021 is dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)