

02.12.2021
Court No.32
Item No. 135
Avijit Mitra

CRM 4714 of 2021

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure;

And

In Re : Sk. Erfan @ Epu Sk. @ Sk. Ifu

Petitioner

Ms. Minoti Gomes

For the Petitioner

Mr. Neguieve Ahmed,

Ms. Trina Mitra

For the State

Apprehending arrest in connection with Ratua P.S. Case No. 354 of 2020 dated 06.08.2020 under sections 448/326/307/302/506/34 of the Indian Penal Code, the petitioner has filed the present application praying for anticipatory bail.

It is submitted by the learned lawyer, Ms. Gomes that the entire incident is a result of a family dispute. Two groups were involved in a petty dispute which resulted in an unforeseen incident. According to Ms. Gomes, anticipatory bail may be allowed to the present petitioner.

Per contra, learned lawyer representing the State submitted, that strong incriminating elements are there in the case diary implicating the present petitioner to the commission of the alleged crime. According to the learned lawyer anticipatory bail should not be allowed as the present petitioner is absconding.

Heard the rival submission and perused the case diary. *Prima facie*, it appears that the allegations are grave and serious. Case

diary reveals strong incriminating elements against the present petitioner. Investigation is still pending. Therefore, at this stage we are not inclined to allow the anticipatory bail and the same is rejected.

Accordingly, the application for anticipatory bail being CRM 4714 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.)