

14.12.2021
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rejected

C.R.M. 5637 of 2021
(via video conferencing)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Rampurhat Police Station Case No. 04 of 2021 dated 06.01.2021 under Sections 341/302/34 of the Indian Penal Code read with Sections 25/27 of the Arms Act.

And

In Re : Sattarul Haque @ Adar Sk. petitioner

Mr. Arnab Saha

... for the petitioner

Mr. Madhusudan Sur, learned APP

Mr. Dipankar Paramanick

... for the State

Learned Counsel appearing for the petitioner submits the petitioner is a person with disability and has been falsely implicated in the instant case.

Learned Counsel appearing for the State opposes prayer for anticipatory bail.

Statements of the witnesses disclose that the petitioner was a member of an unlawful assembly one of whom shot at the victim. Disability certificate relied upon by the petitioner does not render his participation in the crime improbable.

In view of the aforesaid materials on record and the gravity of the offence, we are of the opinion that this is not a fit case to grant anticipatory bail to the petitioner.

Accordingly, prayer for anticipatory bail is rejected.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)

