

CRM No.5865 of 2021

Via video conference

16.12.21

(S.R.)

Sl.574

Ct.32

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Haringhata** Police Station Case No.364 of 2019 dated 10/10/2019 under Sections 341/323/325/326/307/506/34 of the Indian Penal Code;

And

In re: Sujay Shikari & Anr

... petitioners.

Mr. Sumanta Das

... for the petitioners.

Mr. Narayan Prasad Agarwala

Mr. Subhashree Patel

...for the State.

Mr. Das, learned advocate appearing for the petitioners submits that there was a free fight between the parties and the petitioners have been falsely implicated therein. The allegations are *omnibus* in nature and upon completion of investigation charge sheet has also been submitted. As such, the petitioners may be granted anticipatory bail on any stringent condition.

Mr. Agarwala, learned advocate appearing for the State opposes the petitioners' prayer and draws our attention to several documents in the case diary including the statements of the witnesses and the injury report.

Considering the statements of the witnesses, the injury report and the extent of complicity of the petitioners in the alleged offence, we are not inclined to exercise any discretion in their favour.

Accordingly, the application for anticipatory bail being CRM No.5865 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.)

