

10.12.2021

Item no.184

Court No.32

ss

C.R.M. 5960 of 2021

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

And

In Re : Motiar Sk.

.... petitioner

Mr. Sayan De
Mr. Kaustuv Shome
Mr. Sayan Kanjilal

....for the petitioner

Mr. Imran Ali
Ms. Sutapa Banerjee

..... for the State

Apprehending arrest in connection with Shantipur Police Station Case No. 645 of 2021 dated 25.08.2021 under Sections 326/354/448 of the Indian Penal Code, the present application has been preferred.

Learned advocate appearing for the petitioner submits that there was a dispute between the parties and the petitioner has been falsely implicated. In view thereof, custodial interrogation is not warranted.

Learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the statement of the witnesses and the injury report.

We have heard learned advocates appearing for the respective parties and considered the materials in the case diary. Prima facie, there are incriminating materials against the petitioner.

Considering the injury report and the extent of complicity of the petitioner in the alleged offence, we are not inclined to exercise any discretion in favour of the petitioner, more so when, the investigation is still continuing.

Accordingly, the application for anticipatory bail being C.R.M. No.5960 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.)