

CRM No.6549 of 2021

Via video conference

23.12.21

(S.R.)
Sl.539
Ct.32

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Kaliachak** Police Station Case No.449 of 2021 dated 27/04/2021 under Sections 341/325/326/307/34 of the Indian Penal Code and added Section 302 of the Indian Penal Code;

And

In re: Ebrahim Sk. & Ors.

... petitioners.

Mr. Amitabha Karmakar

Mr. Arup Kumar Bhowmick

... for the petitioners.

Mr. Neguive Ahmed

Ms. Amita Gaur

...for the State.

Mr. Ahmed, learned advocate appearing for the State has submitted a report of the inspector-in-charge of Kaliachak Police Station, Malda wherein it has, *inter alia*, been observed that the petitioner no.1, Ebrahim Sk. is also known as Pinku Sk. and the petitioner no.4, Humayan Sk. is also known as Chowdhury Sk. and their names featured in the charge sheet. Let the report, as submitted, be kept on record.

Mr. Karmakar, learned advocate appearing for the petitioners submits that they have been falsely implicated. No overt act has been attributed to the petitioners and as upon completion of investigation charge sheet has been submitted, the petitioners may be granted anticipatory bail on any stringent condition.

We have perused the materials in the case diary including the statements of the witnesses.

Prima facie, we find strong incriminating materials against the petitioners. Considering the seriousness of offence and the extent of their complicity in the alleged offence, we are not inclined to exercise discretion in their favour.

The application for anticipatory bail being CRM No.6549 of 2021 is, accordingly, 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.)