

171 28.10.2021
AD
& Court No.8
PM (Rejected)

**C.R.M. 6859 of 2021
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **25/10/2021** in connection with **Kaliganj** P.S. Case No. **363 of 2021** dated **08/07/2021** under Sections **341/325/326/307/34** of the Indian Penal Code.

And

In the matter of: Azad Sk & Ors.

....petitioners.

Mr. Koustav Bagchi
Mr. Amanul Islam
Mr. Sourav Mukherjee
Mr. Debayan Ghosh

...for the petitioners.

Mr. S.S. Imam
Ms. Sonali Bhar

...for the State.

A long-standing land dispute is the source of allegations and counter-allegations in this case. The charges are, *inter alia*, under Sections 341/325/326/307 and 34 of the Indian Penal Code.

The learned State Counsel has produced the case diary wherefrom it appears that the statements of the eye-witnesses are recorded under Section 161 of the Criminal Procedure Code. From such statements, the names of the petitioners are appearing to be the alleged accused.

The learned Counsel for the petitioner submits that three other persons who are co-accused in this matter had already been granted regular bail from a coordinate Bench of this Court.

Considering the submissions made on behalf of the parties and considering the materials in the case diary produced before us, we are also of the considered view that the petitioners must surrender before the jurisdictional Court at Nadia and then apply for obtaining regular bail.

In such circumstances, C.R.M. 6859 of 2021 stands rejected.

(Moushumi Bhattacharya, J.)

(Aniruddha Roy, J.)