

16.12.2021
Item no.594
Court No.32
Avijit Mitra

C.R.M.7380 of 2021

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

And

In Re : Sagar Ali @ Nayan Sk.

.... petitioner

Mr. Ali Ahsan Alamgir,
Ms. Rabia Khatoon,
Mr. Asif Iqbal

....for the petitioner

Mr. N.P. Agarwala,
Ms. Subhasree Patel

..... for the State

Apprehending arrest in connection with Bhagwangola Police Station Case No.276 of 2021 dated 16.06.2021 under Sections 341/323/325/326/307/506/34 of the Indian Penal Code, the present application has been preferred.

The learned advocate appearing for the petitioner submits that there was a free fight between the parties pertaining to a plot of land and the petitioner has been falsely implicated. The allegations are omnibus in nature. Upon completion of investigation chargesheet has also been submitted and as such, custodial interrogation is not necessary.

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

Heard the 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 statement of the witnesses, the injury report and the extent of complicity of the petitioner in the alleged offence, we are not inclined to exercise any discretion in his favour.

Accordingly, the application for anticipatory bail being C.R.M. No.7380 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.)