

22.12.2021
Item no. 228
Court No.32
Avijit Mitra

C.R.M.7570 of 2021

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

And

In Re : Badrul Alam & anr.

.... petitioners

Ms. Minoti Gomes

....for the petitioners

Mr. Sandip Chakraborty

..... for the State

Apprehending arrest the present application is filed praying for anticipatory bail in connection with Karandighi Police Station Case No.174 of 2021 dated 01.05.2021 under Sections 341/325/307/506/34 of the Indian Penal Code.

Ms. Gomes, learned lawyer representing the petitioners submitted, that no overt act is attributable to the present petitioners. All the injuries are simple in nature. Chargesheet has been submitted. Custodial detention is not necessary in the given facts and circumstances. Therefore, Ms. Gomes prays for grant of anticipatory bail.

Per contra, learned lawyer for the State Mr. Chakraborty submitted, that strong incriminating materials are there against the present petitioners in the case diary. Inviting our attention to the injury report he submitted that injuries are serious in nature. Custodial detention is necessary for further investigation. Accordingly, bail application is opposed.

We have heard rival submissions and perused the case diary. We find that overt acts are attributable to the present petitioners. The victim was sustained assaulted on head, as a result of which scalp injury was sustained and several stitches were given as a part of treatment. Considering the nature of allegations, the extent of incriminating elements and seriousness of offence, we are not inclined to grant anticipatory bail and the same stands rejected.

Accordingly, the application for anticipatory bail being C.R.M. No.7570 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.)