

04.02.2021
Court No.28
Item No. 99
Krishnendu
REJECTED

CRM 9504 of 2020

(Via video Conference)

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

And

In Re : Akash Mallick @ Sabir & Ors.

Petitioners

Mr. Biplab Mitra

Mr. Soumya Banerjee

Mrs. Trina Mitra

For the Petitioners

Mr. Madhusudar Sur, Id. A.P.P.

Mr. Manaronjan Mahata

For the State

Apprehending arrest in connection with Khanakul Police Station Case No. 191 of 2020 dated 15.08.2020 under sections 147/148/323/325/302/506/34 of the Indian Penal Code, 1860 read with section 2 of the Prevention of Insult to National Honour Act, 1971, the petitioners have filed the present application.

Mr. Mitra, learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated due to a political rivalry. No overt act has been attributed to the petitioners herein and as such custodial detention of the petitioners is not warranted.

Mr. Sur, learned advocate appearing for the State opposes the prayer for anticipatory bail of the petitioners and draws our attention to several documents in the case diary.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case

diary, the nature of allegations, the statement of an injured person and the extent of complicity of the petitioners in the alleged offence, we are not inclined to grant anticipatory bail to the petitioners. As such, the prayer for anticipatory bail is rejected.

The application for anticipatory bail, being CRM 9504 of 2020, is, thus, dismissed.

**(Tirthankar Ghosh, J.)
Chakraborty, J.)**

(Tapabrata