

**11.03.2021**

Item No.13

Ct.No.28

dc.

**Rejected**

**C.R.M. 10811 of 2020**

**(Via Video Conference)**

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

And

In Re : **Mithun Ghosh @ Mithu Ghosh & Anr.**  
... Petitioners.

Mr. Arup Sarkar  
... For the Petitioners.

Mr. Rudradipta Nandy  
... For the State.

Apprehending arrest in connection with Ratua P.S. Case No. 256 of 2020 dated 31.05.2020 (G.R. No. 1036/2020) under Sections 341/325/307/333/353/34 of the Indian Penal Code, the present application has been preferred.

The learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated. The allegations levelled against them are unfounded. Upon completion of investigation, charge-sheet has also been filed and as such, custodial interrogation of the petitioners is not warranted.

Mr. Nandy, learned advocate appearing for the State opposes the petitioners' prayer and draws our attention to several documents in the case diary.

Having heard the learned advocates and considering the materials in the case diary, the nature of allegations, the injury reports and the statements of witnesses as recorded under Section 164 of the Code, we are not inclined to exercise any discretion in favour of the petitioners. As such, the petitioners' prayer for anticipatory bail is **rejected**.

The application for anticipatory bail, being CRM 10811 of 2020 is, thus, dismissed.

**(Tirthankar Ghosh, J.)**

**(Tapabrata Chakraborty, J.)**