

C.R.M. 11125 of 2020

Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Kaliachak Police Station Case No. 824 of 2020 dated 20.10.2020 under sections 341/326/307 of the Indian Penal Code.

In re : Rafik Sk. @ Md. Rafik Sk. ... Petitioner.

Mr. Atis Kumar Biswas,
Mr. Jakir Hossain,
Mr. Amit Singh ... for the Petitioner.

Mr. Rudradipta Nandy,
Mr. Pradipta Ganguly ... for the State.

Mr. Salman Hasan,
Mr. Sagnik Mukherjee ... for defacto complainant.

The present application under Section 438 of the Code of Criminal Procedure, 1973 filed at the instance of Rafik Sk. @ Md. Rafik Sk. is taken up for hearing and order.

It is submitted on behalf of the petitioner that there was a free fight between the parties for which he has been falsely implicated.

The State produces the case diary and refers to the injury reports of the victim as well as the statement of the victim therefrom it appears that the petitioner was the principal assailant, who inflicted part throb injury on the victim with a knife. Investigation is in progress.

Considering the gravity of the offence and as the

petitioner is the principal assailant, we are inclined to hold that this is not a fit case for granting anticipatory bail.

The application for anticipatory bail is, accordingly, rejected.

C.R.M. 11125 of 2020 is disposed of.

(Arindam Sinha, J.)

(Suvra Ghosh, J.)