

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction**

**CRM 322 of 2021
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Dinhata Police Station Case No.07 of 2021 dated 05.01.2021 under Sections 448/325/326/506/34 of the Indian Penal Code.

And

In the matter of: Sahajul Patowary and others

.... Petitioners

Mr. Sudip Guha

... For the Petitioners

Mr. Kollol Acharjee,
Mr. Aniruddha Biswas.

... For the State

Learned counsel for the petitioners submits that, in addition to two of the petitioners being women, there is no direct nexus between the injury reports and the petitioners being connected with the anticipated offences on which the petitioners apprehended arrest.

However, it appears from the several statements made under Section 161 of the Code of Criminal Procedure that all the petitioners have been named in connection with the offence-in-question. There cannot be any distinction on the basis of gender, particularly since no specific case has been made out by the petitioner nos.6 and 7 that they have minor children to look after.

As such, the prayer for anticipatory bail is rejected.

The application for anticipatory bail, being CRM 322 of 2021, is dismissed.

(Sabyasachi Bhattacharyya, J.)

(Kausik Chanda, J.)