

8.
06-08-2021
(ct. no.32)
KOLE
Disposed of

(Via Video Conference)

CRM 731 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kuchlibari Police Station** Case No. **29 of 2020** dated **21-05-2020** under Sections **447/323/325/326/307/34** of the Indian Penal Code.

- A n d -

In the matter of : Pabitra Roy & Ors.

.... Petitioners.

Mr. Tanmay Basu

... For the Petitioners.

Mr. Nilay Chakraborty,

... For the State.

The petitioners are accused under several Sections of the Indian Penal Code including Sections 323/325/326/307.

The petitioners say that the incident was a result of property dispute. The petitioners and the complainant inherited shares in a property and the dispute arose therefrom.

The State says that investigation is going on. The injuries suffered by the victims are serious in nature. There are head injuries. Blunt weapons were used to inflict grievous bodily harm. The State vehemently opposes the prayer for anticipatory bail.

Given the nature of the allegations and the extent of injuries and the fact that the investigation is yet to be completed, we are not inclined to allow the prayer for anticipatory bail.

However, in the event the petitioners surrender before the Learned Court below within a week from date, they will not be arrested for a period of one month from date. If they apply for regular bail before the appropriate court upon notice to the State, such application shall be decided in accordance with law without being influenced by any observation in this order.

CRM No. 731 of 2021 is, thus, disposed of.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)