

24.09.2021
Court No.01
Item No. 10
Rejected
Krishnendu

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

**CRM 846 of 2021
(Via Video Conference)**

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

And

In Re : **Rabikanta Adhikary**

Petitioner

Mr. Kalipada Das

For the Petitioner

Mr. Ujjwal Luksom

Ms. Namrata Das

For the State

Apprehending arrest in connection with Falakata Police Station

Case No. 121 of 2021 dated 11.04.2021 under sections
448/326/307/323 of the Indian Penal Code, 1860, the petitioner has
filed the present application.

The learned advocate appearing for the petitioner submits that
there was a long standing land dispute between the parties and as
such the petitioner has been falsely implicated. The allegations are
omnibus in nature. In view thereof, custodial interrogation of the

petitioner is not necessary and he may be granted anticipatory bail on any stringent condition.

The learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to several documents in the case diary.

Having heard the learned advocates appearing for the respective parties and considering the medical report, the statement of the injured, as recorded under section 161 of the Code of Criminal Procedure and the extent of complicity of the petitioner in the alleged offence, we are not inclined to exercise any discretion in his favour, more so when investigation is still continuing. Accordingly, the prayer for anticipatory bail is refused.

The application for anticipatory bail, being C.R.M. No. 846 of 2021 is dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Abhijit Gangopadhyay, J)

(Tapabrata Chakraborty, J)

