

23.12.2021
SL No.23
Court No.1
PJ/SK

***Circuit Bench of Calcutta High Court
At Jalpaiguri***

**CRM 1242 of 2021
(Via video Conference)**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with New Jalpaiguri Police Station Case No. 1181 of 2021 dated 01.11.2021 under Sections 143/332/333/353/186/34 of the Indian Penal Code read with Section 9 of the West Bengal Maintenance of Public Order Act, 1972 read with Section 51 of the Disaster Management Act.

And

In the matter of : **Md. Alauddin & Ors.**

- Petitioners.

Mr. Sayan De,
Ms. Esha Acharya,
Mr. Kaustuv Shome,
Mr. Sampad Das

... For the Petitioners.

Mr. Aditi Shankar Chakraborty, APP,
Mr. Sagnik Sankar Sikdar

... For the State.

The learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated.

The learned Counsel for the State, however, opposes the prayer for anticipatory bail and refers to the injury report wherefrom it appears that the injury is grievous in nature.

Considering the fact that the police personnel were beaten up by discharging their official duties and also having regard to the fact that some of them were injured which appears to be grievous.

We are of the opinion that this is not a fit case to allow the prayer for anticipatory bail.

Accordingly, the prayer for anticipatory bail is rejected.

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

(Biswajit Basu, J.)

(Soumen Sen, J.)