

23.12.2021
SL No.34
Court No.1
AJ

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

**CRM 1260 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 Kotwali Police Station Case No.597 of 2021 dated 10.11.2021 under Sections 448/324/325/307/34 of the Indian Penal Code.

And

In the matter of : **Subrata Sarkar.**

....petitioner.

Mr. Arnab Saha.

... For the Petitioner.

Mr. Kallol Acharjee,

Ms. Namrata Das.

... For the State.

The learned Counsel for the petitioner submits that the petitioner is innocent and all the co-accused persons similarly placed as that of the petitioner were granted anticipatory bail.

The learned Counsel for the State, however, opposes the prayer for anticipatory bail and submits that the petitioner is the perpetrator and has assaulted the victim.

Considering the materials available in the case diary and bearing in mind the nature and involvement of the petitioner in the commission of alleged offence and also having regard to the statement of the injured victim recorded under Section 161 of the Code of Criminal Procedure read with injury report, we are not inclined to grant anticipatory bail to the petitioner.

The application for anticipatory bail, being CRM No.1260 of 2021 stands 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.)