

28.01.2022

Item no. 28
Court No.32
Avijit Mitra

C.R.M. (A) 24 of 2022 (Through Video Conference)

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

And

In Re : Aiyub Ali

.... petitioner

Ms. Sujata Das

....for the petitioner

Mr. Ranadeb Sengupta

..... for the State

Apprehending arrest in connection with Harishchandrapur Police Station Case No.180 of 2020 dated 07.03.2020 under Sections 341/323/354/313/506/34 of the Indian Penal Code, the present application has been preferred.

Ms. Das, learned advocate appearing for the petitioner submits that the allegations as levelled are omnibus in nature. Co-accused persons have already been granted anticipatory bail by the learned Sessions Court. Upon completion of investigation chargesheet has also been submitted and as such, custodial interrogation is not necessary.

Mr. Sengupta, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the statement of the victim lady and the injury report.

Heard the learned advocates appearing for the respective parties.

Prima facie, it appears that the injury inflicted upon the victim caused miscarriage. Considering the seriousness of the

offence, the nature of accusations and the extent of complicity of the petitioner, we are not inclined to exercise discretion in his favour and as such, his prayer for anticipatory bail is refused.

Accordingly, the application for anticipatory bail being C.R.M. (A) No.24 of 2022 is dismissed.

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

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)