

CRM(A) No.107 of 2022

Via video conference

01.02.22

(S.R.)

Sl.25

Ct.32

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Joynagar** Police Station Case No.729 2021 dated 02/11/2021 under Sections 448/380/382/326/387 of the Indian Penal Code;

And

In re: Sanjib Ghosh & Anr.

... petitioners.

Ms. Minoti Gomes

... for the petitioners.

Mr. Prasun Kr. Dutta, APP

Mr. Subrato Ray

...for the State.

Ms. Gomes, learned lawyer for the petitioners submitted that the co-accused, who is the principal one, is on bail. The name of the petitioners appears from the statement of the principal accused.

Mr. Ray, learned lawyer representing the State submitted that there is stab injury and the victim was admitted in the hospital for more than 20 days.

On perusal of the case diary, it appears that the name of the petitioners transpires from the statement of the principal accused. *Prima facie*, the allegation is grave and offence is very serious in nature where the victim was stabbed on the chest and the present petitioners, as it appears, has complicity in the offence. It appears that custodial interrogation of the present petitioners may be necessary in course of investigation in order to discover further truth or material. Therefore, we are not inclined to allow anticipatory bail to the petitioners and the same stands rejected.

The application for anticipatory bail being CRM(A) No.107 of 2022 is, accordingly, 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.)