

01.03.2022

Item no.18

Court No.32

ss

C.R.M.(A) 390 of 2022

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

And

In Re : Selim Molla & ors.

.... Petitioners

Mr. Samim Ahamed

....for the petitioners

Mr. S. S. Imam

Mr. Sandip Kundu

..... for the State

Apprehending arrest in connection with Bhangore Police Station Case No. 104 of 2021 dated 28.02.2021 under Sections 143/325/326/307 of the Indian Penal Code and 3/4 of the Explosive Substance Act, the present application has been preferred.

Mr. Samim Ahamed, learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated in a dispute pertaining to landed property. No specific overt act has been attributed to the petitioners. In the said conspectus, custodial interrogation of the petitioners may not be necessary and they may be granted anticipatory bail moreso when, three persons, similarly situated with the petitioners, have already been enlarged on bail.

The learned advocate appearing for the State opposes the petitioners' prayer and draws our attention to the statements of the witnesses as well as the medical documents and submits that the petitioners are all named in the F.I.R.

Having heard the learned Advocates appearing for the respective parties and considering the materials in the case diary, the nature of accusations, the medical documents and the possible extent of complicity of the petitioners in the alleged offence, we are not inclined to exercise any discretion in their favour more so, when investigation is still continuing. As such, the petitioners' prayer for anticipatory bail is refused.

Accordingly, the application for anticipatory bail being C.R.M. (A) 390 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.)