

CRM(A) No.531 of 2022
Via video conference

03.03.22

(S.R.)
Sl.45
Ct.32

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Daulatabad** Police Station Case No.169 of 2021 dated 12.10.2021 under Sections 302/120B/34 of the Indian Penal Code and Sections 25/27 of the Arms Act;

And

In re: Abu Sama Sk. @ Sk. Mohammad Abu Sama & Ors.

... petitioners.

Ms. Minoti Gomes

... for the petitioners.

Mr. Saibal Bapuli, Ld. APP

Mr. Soumik Ganguli

...for the State.

Ms. Gomes, learned advocate appearing for the petitioners submits that the petitioners herein have been falsely implicated due to previous enmity. The allegations are *omnibus* in nature and upon completion of investigation charge sheet has also been submitted and as such, custodial interrogation may not be necessary.

Mr. Ganguli, learned advocate appearing for the State opposes the petitioners' prayer and draws our attention to the statements of the witnesses and the post mortem report.

Heard the learned advocates and considered the materials in the case diary.

Prima facie, we find strong incriminating materials on record against the petitioners. Considering the seriousness of the offence, the nature of injuries inflicted and the extent of complicity of the petitioners in the alleged offence, we are not inclined to exercise discretion in their favour. As such, their prayer for anticipatory bail is refused.

In view thereof, the application for anticipatory bail being CRM(A) No.531 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.)