

29.03.2022
Sl. 3
Court No.29
sourav
(Rejected)

C.R.M. (A) 761 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **10.02.2022** in connection with **Bhatpara** P.S. Case No. **282** of **2021** dated **06.06.2021** under Sections **302/326/307/323/506/120B/34** of the Indian Penal Code.

And

In the matter of: **Lallan Singh & Anr.**

....petitioners.

Mr. Sandipan Ganguly,
Mr. Arkadeb Bhattacharya,

...for the petitioners.

Mr. Y. J. Dastoor, Ld. ASG,
Mr. Phiroze Edulji,
Mr. Samrat Goswami

...for CBI.

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that the petitioners were falsely implicated. He draws the attention of the Court that the Central Bureau of Investigation (CBI) filed charge-sheet and, therefore, further detention of the petitioners is not required. He highlights the time lag between the date of the lodgment of the First Information Report and the Statement recorded under Section 164 of the Criminal Procedure Code. He contends that the First Information Report does not depict the role of the petitioners in the incident.

Learned advocate appearing for the CBI draws the attention of the Court to the statements of the eyewitnesses recorded under Section 164 of the Criminal Procedure Code. He submits that the petitioners were responsible in the murder of the victim by throwing improvised explosive device.

Considering the gravity of the offence and the involvement of the petitioners therein as transpiring from the materials available in

the case diary including the statements recorded under Section 164 of the Criminal Procedure Code of the eyewitnesses, we are unable to grant anticipatory bail to the petitioners.

Accordingly, the prayer for anticipatory bail of the petitioners is rejected.

C.R.M. (A) 761 of 2022 is, thus, dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

