

21.03.2022
23
Ct. No 29
KAUSHIK
(REJECTED)

C.R.M. (A) 1301 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Patashpur** Police Station Case No. **62** of **2022** dated **09.02.2022** under Sections 147/148/149/307/326/341/506 of the Indian Penal Code, 1860 and Sections 25/27 of the Arms Act.

And

In Re : Susanta Manna & Anr.

..... petitioners

Mr. Mazhar Hossain Chowdhury
Ms. M. Alam

.... for the petitioners

Mr. Rudradipta Nandy

... for the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioners were falsely implicated.

Learned advocate appearing for the State submit that, the petitioners were involved in the incident where fire arms were used. He submits that, the petitioner no. 2 has used licensed fire arm in the shooting incident. He refers to the statement recorded under Section 161 of the Code of Criminal Procedure (Cr.P.C.) from where it transpires that the other two petitioners also used fire arms at the shooting. He submits that the custody of the petitioners is required in order to investigate with regard to the fire arms used in the incident. He refers to 164 Cr.P.C. statement.

Considering the gravity of the offence and the involvement of the petitioners therein and considering the materials in the case diary, we are unable to grant anticipatory bail to the petitioners.

Accordingly, prayer for anticipatory bail of the petitioners is rejected and the application being CRM (A) 1301 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)