

05.04.2022

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Ct. No 29

**KAUSHIK**  
(REJECTED)

**C.R.M. (A) 1546 of 2022**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Khargram** Police Station Case No. **341** of **2021** dated **11.10.2021** under Sections 448/325/326/307/34 of the Indian Penal Code, 1860.

And

In Re : Ismail Sk. & Anr.

..... petitioners

Ms. Minoti Gomes

... for the petitioners

Mr. Saibal Bapuli

Mr. Arani Bhattacharya

... for the State

Petitioners seek anticipatory bail on the ground of parity with that of two other co-accuseds, who were granted anticipatory bail by the order dated February 15, 2022 passed in CRM(A) 305 of 2022.

Learned advocate appearing for the State submits that, the petitioners herein cannot claim parity since the two other co-accuseds who were granted anticipatory bail were aged persons and granted such relief by reason of their age.

There is substance in the contention of the State. The order granting anticipatory bail dated February 15, 2022 passed in CRM(A) 305 of 2022 records that the accuseds seeking anticipatory bail therein are aged persons and anticipatory bail was being granted taking into consideration the age of the accuseds also.

The injury reports of the victim states that they suffered grievous hurt. One of the injured suffered fracture.

Considering the gravity of the offence and the involvement of the petitioners therein, we are unable to grant anticipatory bail to the petitioners.

Accordingly, prayer for anticipatory bail of the petitioner is rejected and the application being CRM (A) 1546 of 2022 is dismissed.

**(Debangsu Basak, J.)**

**(Bibhas Ranjan De, J.)**