

18.04.2022
Serial no. 13
Aloke

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CRM (A) 1716 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Keshiary Police Station Case No. 49 of 2022 dated 19.02.2022 under Sections 448/323/325/326/307/354B/34 of the Indian Penal Code and adding Section 376 of the Indian Penal Code.

-And-

In the matter of : **Sukumar Bhunia @ Narugopal Bhunia & Anr.**

... .. Petitioners

Mr. M. Chatterjee, Advocate

Mr. G.N. Imrohi, Advocate

... .. For the petitioners

Mr. Saibal Bapuli, Id. APP

Mr. Arani Bhattacharya, Advocate

... .. For the State

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that two other co-accused were granted anticipatory bail by this Hon'ble Court.

Learned Advocate appearing for the State submits that the petitioners are standing on a different footing as that of the two other co-accused who were granted anticipatory bail on April 7, 2022 passed in CRM (A) 1598 of 2022. He refers to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and the injury report of the victim.

In the statement recorded under Section 164 of the Code of Criminal Procedure, the injured victim states that he was attacked with a sharp cutting weapon by persons which includes the two petitioners herein and that he suffered injuries. The injuries report corroborate such statement. The petitioner cannot be said to be standing on the same footing as the other co-accuseds.

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

CRM (A) 1716 of 2022 is rejected.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)