

18.05.2022

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Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M.(A) 2210 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tehatta** Police Station case No. **475** of **2021** dated **19.09.2021** under Sections 341/326/307/34 of the Indian Penal Code.

And

In Re : Koushik Biwas

..... petitioner

Mr. Amanul Islam

Mr. Sourav Mukherjee

....for the petitioner

Mr. Sudip Kumar Ghosh

Mr. Bitasok Banerjee

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner stands on the same footing as that of the two other co-accuseds, who were granted anticipatory bail on January 25, 2022 in CRM 8803 of 2021.

Learned advocate appearing for the State submits that, the petitioner is the main assailant. He refers to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure as also to the medical report of the victim.

Considering the gravity of the offence and the involvement of the petitioner therein as transpiring from the materials in the case diary, we are of the view that the petitioner does not stand

on the same footing as that of the other two co-accuseds, who were granted anticipatory bail, we are unable to grant anticipatory bail to the petitioner.

Accordingly, prayer for anticipatory bail of the petitioner is rejected and the application being CRM (A) 2210 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)