

07.06.2022

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rejected

C.R.M.(A) 2344 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Baduria Police Station Case No. 574 of 2021 dated 24.09.2021 under Sections 447/323/325/354/313/34 of the Indian Penal Code.

And

In Re : Janab Ali Mondal @ Janab Ali @ Janab petitioner

Mr. Sumanta Chakrabroty

... for the petitioner

Mr. Binay Panda

Mr. Subham Bhakat

... for the State

It is submitted by the learned Counsel appearing for the petitioner that there was a free fight between the parties. He had also suffered injuries and case and counter case were registered over the selfsame incident.

Learned Counsel appearing for the State opposes prayer for anticipatory bail.

We have considered the materials on record including statement of the victim lady who was the informant in the instant case prima facie disclosing role of the petitioner in assaulting the victim as well as her husband. As a result of such assault, the victim lady who was pregnant had suffered from miscarriage.

In view of gravity of the offence and prima facie involvement of the petitioner therein, we are of the opinion that this is not a fit case to grant anticipatory bail to the petitioner.

Accordingly, prayer for anticipatory bail is rejected.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)

