

20.06.2022

17

Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M.(A) 2846 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Farakka** Police Station case No. **353** of **2021** dated **23.11.2021** under Sections 302/34 of the Indian Penal Code, 1860.

And

In Re : Rajesh Sk & Ors.

..... petitioners

Ms. Shreyashee Biswas

Ms. Benazir Hasna

....for the petitioners

Mr. Madhusudan Sur

Mr. Dipankar Pramanick

....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, one of the co-accused is on bail. No active role was attributed to any of the petitioners.

Learned advocate appearing for the State draws the attention of the Court to the statement of the eye witness recorded under Section 164 of the Code of Criminal Procedure (Cr.P.C.).

The investigations are under Sections 302/34 of the Indian Penal Code. There is a 164 Cr.P.C. statement of the eye witness implicating the petitioners.

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

Accordingly, prayer for anticipatory bail of the petitioners is rejected and the application being CRM (A) 2846 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)