

30.06.2022
Serial no.8
Aloke

CRM (A) 2999 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Alipore Police Station Case No. 58 of 2022 dated 13.06.2022 under Sections 341/323/354/506 of the Indian Penal Code.

-And-

In the matter of : **Soma Jana & Ors.**

... .. Petitioners

Mr. Kallol Mondal, Advocate
Mr. Krishan Ray, Advocate
Mr. Avik Ghatak, Advocate
Mr. Kushal Das, Advocaet
Mr. Souvik Das, Advocate
Mr. Anamitra Banerjee, Advocate
Mr. Rajyashree Mukherjee, Advocate

... .. For the Petitioners

Mr. Navnil De, Advocate

... ..For the State

Mr. Sabyasachi Banerjee, Advocate
Mr. Shiladitya Banerjee, Advocate
Mr. Antarishya Basu, Advocate
Mr. Arnab Chatterjee, Advocate
Mr. Pratik Priya Dasgupta, Advocate
Mr. Ashish Chakraborty, Advocate

... .. For the de facto complainant

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the petitioners were falsely implicated. There are A number of proceedings between the private parties. The present police complaint is an offshoot of that pre-existing enimity.

Learned Advocate appearing for the State draws the attention to the materials in the case diary. He submits that the petitioners are guilty of assault on the learned Advocate appearing for one of the parties in MAT Suit No. 1869 of 2021 inside the Court room. In support of his contention he refers to the statement of the bench clerk of the concerned Court recorded under Section 161 of the Code of Criminal Procedure.

The de facto complainant is represented.

The de facto complainant is an Advocate. She was appearing on behalf of her client in MAT Suit No. 1869 of 2021 where one of the petitioners before us is a party.

The materials in the case diary depict an alarming picture. The de facto complainant in her capacity as an Advocate appearing for one of the parties in MAT Suit no. 1869 of 2021 was assaulted by the petitioners inside the Court room.

It is contended on behalf of the State and the de facto complainant that the Court was in session when the incident took place.

In view of the gravity of the offence and the involvement of the petitioners therein and the materials in the case diary, we are unable to grant anticipatory bail to the petitioners.

Prayer for anticipatory bail of the petitioners is rejected
CRM (A) 2999 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)