

04.08.2022

Sl.13

Court No.29

(AD)

(Rejected)

C.R.M. (A) 3699 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with G.R. Case No.1847/22 arising out of **Bagdah** Police Station Case No.**424 of 2022** dated **08/06/2022** under Sections **143/186/333/353/188/307/341/290/120(B)** of the Indian Penal code, 1860 read with Section **9** of the M.P.O and Section **3** of the Prevention of Damage to Public Property Act, 1984.

And

In the matter of: **Swarup Kumar Ghosh alias Tubai & Anr.**

....petitioners.

Mr. Susingdho Bhattacharyya

...for the petitioners.

Mr. Rudradipta Nandy, Ld. APP

Ms. Sonali Das

Ms. Sreeparna Das

...for the State.

Petitioners pray for anticipatory bail.

Learned Advocate appearing for the petitioners claim parity with the other co-accused who was enlarged on anticipatory bail by the order dated July 25, 2022 passed in CRM (A) 3510 of 2022.

Learned Advocate appearing for the State submits that the petitioners cannot claim parity in view of the materials in the case diary. He submits that the statements recorded under Section 161 of the Code of Criminal Procedure of eye-witnesses implicating the petitioners as one of the leaders of the mob indulging in arson.

In view of the materials in the case diary implicating the petitioners in the offences alleged, we are unable to grant anticipatory bail to the petitioners.

Accordingly, the prayer for anticipatory bail of the petitioners is rejected.

C.R.M. (A) 3699 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)