

04.01.2022

Sl.No. 250

Ct.No. 32

Amalranjan

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION
APPELLATE SIDE**

(Via Video Conference)

CRM No. 7722 of 2021

Re: An application for anticipatory bail under Section 438 of
the Code of Criminal Procedure, 1973.

Rejected

In the matter of : Jannatul Ferdoush @ Jannalun Firdosh

..... Petitioner

Mr. Dipayan Kundu

...for the Petitioner

Mr. Sudip Ghosh

Mr. Bitasok Banerjee

...for the State

Apprehending arrest in connection with Chanchal
Police station Case No. 685 of 2021 dated 21.08.2021 under
Sections 143/144/145/186/188/332/353/307/436/511
and 34 of the Indian Penal Code read with Sections 3/ 4 of
Prevention of Damage to Public Property Act, 1984 along with
Section 51(b) of Disaster Management Act, 2005 and Sections
7/8/9 of the West Bengal Maintenance of Public Order Act
(Amended), 2007 (corresponding to G.R. Case No. 1941 of
2021), the present application is filed praying for anticipatory
bail.

Learned advocate for the petitioner submits that the
whole incident took place by mob. There is no overt act
attributable by the present petitioner. The present petitioner
is falsely implicated with ulterior motive. There is no

justification of custodial detention. Therefore, an anticipatory bail is prayed for.

Per contra the learned lawyer for the State submits that the present petitioner is identified from a close circuit television footage that he was involved in rioting, destruction of public property, particularly, the government vehicles and other unlawful activities. Investigation is in progress. Therefore, he strongly opposes for grant of anticipatory bail of the present petitioner.

We have heard the rival submissions of the parties and perused the case diary. We find that the alleged offence is destruction of public vehicles, obstruction of public offices from discharging their duties to maintain law and order and assaulting police force. We have also perused the police injury report and statements of different witnesses. We find that the present petitioner has complicity in the alleged offence.

Considering the seriousness of the offences and also considering the facts that the investigation is still going on, we are not inclined to allow the anticipatory bail of the present petitioner and the same stands rejected.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this court.

(Sugato Majumdar, J.) (Tapabrata Chakraborty, J.)