

CRM 7902 of 2021
(via video conference)

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

In the matter of : **Wasim Sk @ Md Washim Hossain & Anr.**
..... petitioners

Mr. Krishnendu Bhattacharya
Mr. Priyankar Ganguly
Ms. Shalini Bairagi

.....For the petitioners

Mr. Santanu Chatterjee

.....For the State

Apprehending arrest in connection with Kaliachak Police Station Case No. 311/2021 dated 15.03.2021 under Sections 147/148/149/186/188/326/307/332/333/353/363/379/120B of the Indian Penal Code, the present application has been preferred.

Mr. Bhattacharya, learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated in an incident which occurred on 14th March, 2021. It has been alleged that the petitioners were a part of the mob which attacked police personnel. No specific overt act has been attributed to the petitioners. One Hajiruddin is the principal accused and in the said conspectus, custodial interrogation of the petitioners may not be necessary.

Mr. Chatterjee, learned advocate appearing for the State opposes the petitioners' prayer and draws our attention to the statement of the police personnel, who was injured, as

recorded under Section 164 of the Code as well as the injury report.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the nature of injury, the nature of accusations and the possible extent of complicity of the petitioners in the alleged offence, we are not inclined to exercise any discretion in their favour and their prayer for anticipatory bail is refused.

The application being CRM 7902 of 2021 is, accordingly, dismissed.

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.)