

18.08.2022

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Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M.(A) 3947 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chakdah** Police Station Case No. **295** of **2022** dated **08.05.2022** under Sections 326/307/34 of the Indian Penal Code read with Sections 25/27 of the Arms Act.

And

In Re : Suraj Paul @ Papai

..... petitioner

Mr. Shibaji Kumar Das

Ms. Rupsa Sreemani

....for the petitioner

Mr. Saibal Bapuli

Mr. Bibaswan Bhattacharya

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, all other co-accuseds were enlarged on bail.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary including the statement of the injured recorded under Section 161 of the Code of Criminal Procedure (Cr.P.C.).

The fire arm is yet to be recovered. The injured suffered bullet injury.

The materials in the case diary suggest that the petitioner was present at the locale when the incident happened and took part in it.

In such circumstances, requirement of custodial interrogation of the petitioner cannot be overlooked. Consequently, we are unable to grant anticipatory bail to the petitioner.

Accordingly, prayer for anticipatory bail of the petitioner is rejected and the application being CRM (A) 3947 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)