

07.01.2022

Item no. 17
Court No.32
Avijit Mitra

C.R.M. 8014 of 2021 (Through Video Conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal;

And

In Re : Golam Hossain Sk @ Golam Sk & ors.

.... petitioners

Mr. Ali Ahasan Alamgir,
Ms. Riya Das,
Ms. Rabia Khatoon

....for the petitioners

Mr. Madhusudan Sur,
Mr. Monoranjana Mahata

..... for the State

Apprehending arrest in connection with Hariharpara Police Station Case No.154 of 2021 dated 20.04.2021 under Sections 341/326/307/302/34 of the Indian Penal Code read with Sections 3/4/5 of the Explosive Substances Act, 1860 the present application has been preferred.

Mr. Alamgir, learned advocate appearing for the petitioners submits that they have been falsely implicated due to political rivalry. No overt act has been attributed to them. The FIR was registered against 28 persons and upon completion of investigation 17 were chargesheeted amongst whom 11 have already been discharged. In the said conspectus, the petitioners may be granted anticipatory bail on any stringent condition.

Mr. Alamgir further submits that the contents of the FIR would further reveal that the incident occurred under the leadership of Niyamat Sk., Jillar Rahaman and Safinul Biswas.

Mr. Sur, learned advocate appearing for the State opposes the petitioners' prayer and draws our attention to the contents of the FIR, the statement of the eye-witnesses and the *post-mortem* report.

Heard the learned advocates appearing for the respective parties and considered the materials in the case diary.

Prima facie, there are strong incriminating materials against the petitioners. Considering the seriousness of the offence and the extent of complicity of the petitioners in the alleged offence, we are not inclined to exercise any discretion in their favour.

Accordingly, the application for anticipatory bail being C.R.M. No. 8014 of 2021 is 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.)