

11.01.2022

Court No.32
rpan / 22

CRM 8071 of 2021

[through Video Conferencing]

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

And

In Re.: **Samaun Sk @ Sominula Islam & Another**

- Petitioners

Md. Sarwar Jahan,
Mr. Anisur Rahman
... for the Petitioners.
Mr. S. S. Imam,
Mr. S. Kundu
... for the State.

Apprehending arrest in connection with Hariharpara Police Station Case No.250 of 2021 dated 28.06.2021 under Sections 448/325/326/307/379/34 of the Indian Penal Code, 1860, the petitioners have filed the present application.

The learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated in view of a previous enmity. The allegations are omnibus in nature and upon completion of investigation charge sheet has already been submitted. In view thereof, custodial interrogation is not necessary. He further submits that co-accused persons have already been granted bail by the learned court below.

Mr. Kundu, learned advocate appearing for the State opposes the petitioners' prayer and draws our attention to the statements of the witnesses, the seizure list and the injury reports.

Having heard the learned advocates and considering the materials in the case diary, the nature of allegations, the injury

reports and the extent of complicity of the petitioners in the alleged offence, we are not inclined to exercise any discretion in their favour. As such, their prayer for anticipatory bail is refused.

The application for anticipatory bail, being CRM 8071 of 2021 is, thus, 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.)