

11.01.2022
Ct. No. 32
Sl. No.46
akd

C. R. M. 8184 of 2021 [via video conferencing]

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

And

In Re: ***Sabjan Dafadar & Ors.***

... .. Petitioners

Ms. Sananda Bhattacharya

... .. for the petitioners

Mr. Masud Karim

... .. for the de-facto complainant

Mr. Shiladitya Banerjee

... .. for the State

Apprehending arrest in connection with Hanskhali Police Station Case No.611 of 2021 dated 26.08.2021 under Sections 341/325/307/34 of the Indian Penal Code, the present application has been preferred.

Ms. Bhattacharyya, learned advocate appearing for the petitioners, submits that the incident occurred on the spur of the moment and the petitioners have been falsely implicated. There was also previous enmity amongst the parties. The allegations are omnibus in nature. In the said conspectus, custodial interrogation is not necessary.

Mr. Banerjee, learned advocate appearing for the State, opposes the petitioners' prayer and draws our attention to the statements of witnesses including that of the injured. He also refers to the medical documents in the case diary. Answering a query of this court, he submits that investigation is still in progress.

Mr. Karim, learned advocate appearing for the de-facto complainant, opposes the petitioners' prayer.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the nature of accusations, the medical reports and the extent of complicity of the petitioners in the alleged offence, we are not inclined to exercise any discretion in their favour, more so, when investigation is still continuing.

Accordingly, the application for anticipatory bail, being CRM 8184 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.)