

C.R.M. (A) 4298 of 2022

07.09.2022
Sl.24
Court No.29
(AD)
(Rejected)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Belda** Police Station Case No.**348 of 2022** dated **08/08/2022** under Sections **447/323/354/506/195A/34** of the Indian Penal Code read with Section **3(1)(r)(s)(w)(i)** of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 corresponding to Special Trial No.67 of 2022.

And

In the matter of: **Pradip Das & Anr.**

....petitioners.

Ms. Nandita Baksi
Mr. Arunava Maiti

...for the petitioners.

Mr. Swapan Banerjee
Mr. Siladitya Banerjee

...for the State.

Petitioners pray for anticipatory bail.

Learned Advocate appearing for the petitioners submits that the petitioners are ready and willing to comply with any conditions including complying with the provisions of Section 41A of the Code of Criminal Procedure.

Learned Advocate appearing for the State submits that subsequent to the son of the petitioners being granted anticipatory bail by this Hon'ble Court, the petitioners went to the house of the de facto complainant and committed the offences.

The police are investigating, *inter alia*, under the provisions of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

There is a bar under Section 18 of the Act of 1989 with regard to the grant of anticipatory bail.

The complaint made under Section 156(3) of the Code of Criminal Procedure apparently speaks of an incident which attracts

the provisions of the Act of 1989.

In such circumstances, we are unable to grant anticipatory bail to the petitioners.

Accordingly, the prayer for anticipatory bail of the petitioners is rejected.

C.R.M. (A) 4298 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)