

17.02.2022

Court No.32
rpan / **216**

CRM 8978 of 2021

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

And

In Re.: **Sajahan Mullick & Another**

- Petitioners.

Mr. Sk. Toslim Ali

... for the Petitioners.

Mr. Abhra Mukherjee,

Mr. Dipankar Mahata

... for the State.

Apprehending arrest in connection with Amta Police Station Case No.303 of 2021 dated 14.11.2021 under Sections 448/325/326/354/379/506/34 of the Indian Penal Code, 1860, the petitioners have filed the present application.

Mr. Ali, learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated. The allegations are omnibus in nature. In view thereof, custodial interrogation may not be necessary.

Mr. Mahata, learned advocate appearing for the State opposes the petitioners' prayer and draws our attention to the statements of the witnesses as recorded under Section 161 of the Code of Criminal Procedure and the injury report.

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

Prima facie, specific overt acts have been attributed to the petitioners herein. Considering the nature of injuries and the extent of their complicity in the alleged offence, we are not inclined

to exercise any discretion in their favour, more so when investigation is still continuing. As such, their prayer for anticipatory bail is refused.

The application for anticipatory bail, being CRM 8978 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.)