

14.09.2022.
23.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 3109 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Harishchandrpur P.S. Case No.466 of 2022 dated 11.06.2022 under Sections 341/342/186/333/353/207/427/506/34 of the Indian Penal Code read with Section 3 of the Prevention of Damages to Public Property Act.

In the matter of : Abdul Hadi & Anr.

... Petitioners.

Mr. Rana Mukhopadhyay.

...for the Petitioners.

Mr. Swapan Banerjee,
Mr. Suman De.

...for the State.

Petitioners submit they are in custody for about 43 days.

It is contended they had seen a commotion and come to the place of occurrence. They have been falsely implicated in the instant case. They pray for bail.

Learned Advocate for the State opposes the prayer for bail. He submits petitioners and co-accuseds obstructed police officers in discharge of their official duty to arrest absconding accused i.e. petitioner no.1. Police officers suffered bodily injuries.

We have considered the materials on record. Petitioner no.1 was an absconding accused. Petitioner no.2 is his son. They obstructed police officers from arresting petitioner no.1. As a result, police officers suffered injuries.

In view of the prima facie involvement of the petitioners and their daring conduct in obstructing police personnel to

discharge official duty, we do not consider it prudent to enlarge them on bail at this stage.

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

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)