

23.11.2022

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Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M.(A) 4786 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kharagpur Local** Police Station Case No. **745** of **2022** dated **16.09.2022** under Sections 341/354/323/506/34 of the Indian Penal Code, 1860 and Sections 3(1)(r)(s)(w)(i)/3(2)(v-a) of the S.C. & S.T (POA) Act.

And

In Re : Sukumar Khatua & Ors.

..... petitioners

Mr. Malay Bhattacharya

Mr. Pradip Paul

Mr. Subhro Jyoti Ghosh

....for the petitioners

Mr. Sanjoy Bardhan

Ms. Debjani Dasgupta

....for the State

Report as called for by the order dated November 16, 2022 filed in Court be taken on record.

It is sad to note that a case law was cited at the behest of the petitioners, which was subsequently overturned by the Hon'ble Supreme Court.

Be that as it may, there are materials in the case diary implicating the petitioners in the incident.

The investigations are yet to be concluded.

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

Accordingly, prayer for anticipatory bail of the petitioners is rejected and the application being CRM (A) 4786 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)