

07.11.2022

Sl.40

Court No.29

(AD)

(Dismissed)

C.R.M. (A) 4801 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Palashipara** Police Station Case No.**326 of 2022** dated **11/09/2022** under Sections **302/34** of the Indian Penal Code.

And

In the matter of: **Rahul Sk. & Anr.**

....petitioners.

Mr. Dipanjan Chatterjee
Mr. Kalyan Bhattachariya
Mr. Ibrahim Shaikh
Ms. Benazir Shaikh

...for the petitioners.

Mr. Saibal Bapuli, Ld. APP
Mr. Arani Bhattacharyya

... for the State.

Petitioners pray for anticipatory bail.

Learned Advocate appearing for the petitioners submits that the first petitioner was arrested.

Consequently, **C.R.M. (A) 4801 of 2022** is dismissed as infructuous so far as the first petitioner, namely, Rahul Sk., is concerned.

Learned Advocate appearing for the State draws the attention of the Court to the statement recorded under Section 161 of the Code of Criminal Procedure.

A person was murdered.

There is a statement recorded by a doctor, under Section 161 of the Code of Criminal Procedure, stating that he was called to the house of the second petitioner for the purpose of treating the murdered person.

There are materials available in the case diary suggesting that the first and the second petitioners are involved in the business of

dealing in narcotics.

In such circumstances, we are unable to grant anticipatory bail to the second petitioner, namely, Niyajaddin Sk.

Accordingly, the prayer for anticipatory bail of the second petitioner is rejected.

C.R.M. (A) 4801 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)