

C.R.M. (A) 5404 of 2022

24.11.2022

Sl.11

Court No.29

(AD)

(Rejected)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Dewandighi** Police Station Case No.**224 of 2022** dated **08/10/2022** under Sections **448/323/354B/376/511/506** of the Indian Penal Code. (G.R. Case No.5145 of 2022)

And

In the matter of: **Suvendu Malik @ Biltu**

....petitioner.

Mr. Uday Sankar Chattopadhyaya

Ms. Snigdha Saha

... for the petitioner.

Mr. Avishek Sinha

... for the State.

Petitioner prays for anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated. There is a previous dispute between the private parties by reason of which, the present police case was lodged.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary including the statement of the victim recorded under Section 164 of the Code of Criminal Procedure, eye-witnesses whose statements were recorded under Section 161 of the Code of Criminal Procedure and the seizure list.

The seizure list corroborates the statements made by the victim recorded under Section 164 of the Code of Criminal Procedure. The 161 statement of one of the witnesses also corroborates the version of the victim.

Considering the gravity of the offence and the involvement of the petitioner therein, we are unable to grant anticipatory bail to the petitioner.

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

C.R.M. (A) 5404 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)