

29.11.2022
Serial no. 13
[Dd]
(Anticipatory bail)
(Rejected)

CRM (A) 5476 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Bharatpur** Police Station Case No. **353** of **2022** dated **27.10.2022** under Sections **341/326/307/506/34** of the Indian Penal Code.

-And-

In the matter of : **Beniyaj Sk @ Beniyas Seikh & Ors.**
... ..Petitioners

Mr. Goutam Dey,
Md. Jannat Ul Firdous,
Mr. Rajesh Naskar, Advocates
... .. For the Petitioners

Mr. Avishek Sinha, Advocate
... ..For the State

Mr. Rajnil Mukherjee, Advocate
... ..For the de facto complainant

Petitioners renew the prayer for anticipatory bail.

Prayer for anticipatory bail was rejected on November 9, 2022.

It is submitted on behalf of the petitioners that the prayer was rejected on the basis of the photographs in the case diary and without looking into the injury reports.

There are injury reports in the case diary which speak of injured suffering grievous hurt. All the petitioners stand implicated in the assault.

The materials in the case diary suggest that the requirement of immediate custodial interrogation of all the petitioners. The Court is informed that an order under Section

83 of the Criminal Procedure Code was passed by the jurisdictional Court yesterday.

There is hardly any material change in circumstances in favour of any of the petitioners to consider the renewal prayer.

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

Prayer for anticipatory bail of the petitioners is **rejected**.

CRM (A) 5476 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)