

30.11.2022

22

Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M.(A) 5540 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Itahar** Police Station Case No. **400** of **2022** dated **16.07.2022** under Sections 447/341/307/506/120B of the Indian Penal Code, 1860 read with Sections 3/ 4 of the Explosive Substances Act.

And

In Re : Sonali Bibi

..... petitioner

Mr. Amit Ranjan Pati
Ms. Reshmi Mukherjee
Mr. Ashok Halder

....for the petitioner

Ms. Anasuya Sinha
Mr. Pinak Kumar Mitra

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the incident arose out of property dispute. The petitioner is a lady and was falsely implicated.

Learned advocate appearing for the State draws the attention of the Court to the statement of two eye witnesses recorded under Section 164 of the Code of Criminal Procedure (Cr.P.C.). She submits that, live bombs were recovered from the spot.

The role of the petitioner in the incident is described by the eye witnesses who recorded 164 Cr.P.C. statements.

Apparently, the petitioner played an active role. Live bombs were recovered by the police.

In such circumstances, considering the gravity of the offence and the involvement of the petitioner therein, we are unable to grant anticipatory bail to the petitioner.

Accordingly, prayer for anticipatory bail of the petitioner is rejected and the application being CRM (A) 5540 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)