

12.12.2022
Sl.33
Court No.29
(AD)

C.R.M. (A) 5751 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Sinthee** Police Station Case No.**93 of 2022** dated **09/11/2022** under Sections **324/379/34** of the Indian Penal Code, 1860 and **3(1)(r)(s)** of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

And

In the matter of: **Sanjib Mondal & Ors.**

....petitioners.

Mr. Sankha Subhra Ray

... for the petitioners

Mr. Sanjoy Bardhan

Mr. Suman Saha

... for the State.

Petitioners pray for anticipatory bail.

The Statement of the injured recorded under Section 164 of the Code of Criminal Procedure states that the injured, who is the member of a Scheduled Tribe, was not only assaulted but also spoke offensive words as to his tribe.

In view of the materials in the case diary including the statement of the injured recorded under Section 164 of the Code of Criminal Procedure and in view of Section 18 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, we find the present petition is not maintainable.

C.R.M. (A) 5751 of 2022 is disposed of as not maintainable.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)