

CRM (A) 5761 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Hemtabad Police Station Case No. 286 of 2022 dated 22.10.2022 under Sections 188/427/341/323/325/307/354/379/506/109 of the Indian Penal Code.

-And-

In the matter of : **Jasim @ Jasimuddin & Ors.**

... .. Petitioners

Mr. Kunal Ganguly, Advocate

... .. For the Petitioners

Mr. Madhusudan Sur, Id. APP

Mr. Dipankar Paramanick, Advocate

... ..For the State

Mr. Kaushik Chaudhury, Advocate

Ms. Busra Khatun, Advocate

... .. For the de facto complainant

Petitioners seek anticipatory bail.

There is a subsisting order of injunction passed by a Civil Court. Apparently, the petitioners violated such order and entered into the immovable property giving rise to the incident.

The female members were let of an anticipatory bail due to their gender.

There are materials in the case diary implicating the petitioners.

The petitioners violated an order of the Civil Court.

We hasten to add, the violation, if there be any of the Civil Court's order is an issue which needs to be considered by the Civil Court. We are not pronouncing anything finally with regard to the violation claimed.

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

Prayer for anticipatory bail of the petitioners is rejected.

CRM (A) 5761 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)