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11-01-2022
(ct. no.1)
KOLE

Circuit Bench of Calcutta High Court at Jalpaiguri

CRM (A) 26 of 2022

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Alipurduar** Police Station Case No. **231** of **2021** dated **21.07.2021** under Sections **341/326/307** of the Indian Penal Code read.

- A n d -

In the matter of : Manojit Adhikary

.... Petitioner.

Mr. Hillol Saha Poddar,

... For the Petitioner.

Mr. A. Sarkar,
Mr. T. Bhattacharyya,

... For the State.

The petitioner says that he has been falsely implicated. He is not involved in the alleged offence in any way.

We have seen the material in the case diary including the statement of the victim and at least one eye-witness. The eye-witness clearly mentions the petitioner as the person who attacked the victim and inflicted grievous bodily injury on him.

The medical report records the nature of injury as 'grievous and fresh'. It also records that it appears that the injury was inflicted by a sharp cutting weapon.

On an overall assessment of the facts and circumstances of the case and the prima facie incriminating material against the petitioner, since investigation is in progress, we are not inclined to allow the petitioner's prayer for anticipatory bail.

The application for anticipatory bail being CRM (A) 26 of 2022 is, thus, **dismissed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Aniruddha Roy, J.)

(Arijit Banerjee, J.)