

14.01.2022
Item no.32.
Court No.1.
AB
(Rejected)

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI
(Via Video Conference)**

CRM (A) 39 of 2022

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Dinhata Police Station Case No.67 of 2021 Dated 17.02.2021 under Sections 143/448/379/427/354/109 of the Indian Penal Code read with Sections 25/27 of the Arms Act

And

In the matter of: Ajoy Roy @ Ajay Roy @ Bura

.....Petitioner.

Mr. Arnab Sahafor the Petitioner.

Mr. Kallol Acharjee,
Mr. Sourav Gangulyfor the State.

Various sections of the Indian Penal Code have been pressed into service including Section 354 of the Indian Penal Code.

The petitioner says that he has been framed because he is an active member of a rival political party.

We have seen the material in the case diary including statements of witnesses. Several witnesses specifically named this petitioner. We have seen the seizure list. Cartridges have been retrieved from the place of occurrence and there are charges under the Arms Act. Charge sheet is yet to be filed and investigation is going on. A co-accused standing on the same

footing was refused anticipatory bail by this Court by an order dated January 10, 2022 passed in CRM (A) No.19 of 2022.

On an overall assessment of the facts and circumstances of the case and the material on record, we are not inclined to extend the privilege of anticipatory bail to the petitioner.

C.R.M. (A) No.39 of 2022 is, accordingly, dismissed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Aniruddha Roy, J.)

(Arijit Banerjee, J.)