

13.01.2022
Item no.09.
Court No.01.
S.De
(Rejected)

Circuit Bench of Calcutta High Court
at Jalpaiguri

(Via Video Conference)

CRM (A) No. 41 of 2022

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Samuktala Police Station Case No.185 of 2021 Dated 09.09.2021 under Sections 348/323/325/307/379/34 of the Indian Penal Code.
And

In the matter of: Amulya Das & Another.

.....Petitioners.

Mr. Arnab Sahafor the Petitioners.

Mr. Nilay Chakraborty,
Ms. Namrata Das.for the State.

The petitioner no.2 is the son of the petitioner no.1. They say that the incident occurred when the de facto complainant, in an inebriated condition, attacked the petitioner no.1. The petitioner no. 2 tried to protect his father. A scuffle ensued. The son of the de facto complainant suffered minor injury in such scuffle.

We have seen the material in the case diary including the Medical Reports. It appears that the son of the defacto complainant was admitted to Mission Hospital, Cooch Behar on September 9, 2021 with head injury, abdominal injury and multiple body injury. He was in hospital for about 11 days and discharged on September 20, 2021.

The investigation is in progress. Charge-sheet is yet to be filed.

On an overall assessment of the facts and circumstances of the case and the prima facie incriminating material against these petitioners, we are not inclined to allow the petitioners' prayer for anticipatory bail.

The application for anticipatory bail is rejected.

C.R.M. (A) 41 of 2022 is 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.)