

20.02.2023

21

Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M.(A) 744 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Raghunathganj** Police Station Case No. **99** of **2023** dated **31.01.2023** under Sections 186/332/353/379/427/34 of the Indian Penal Code, 1860.

And

In Re : Sri Tilak Mondal

..... petitioner

Mr. Bivash Banerjee

Mr. Rohit Prasad

....for the petitioner

Mr. Rudradipta Nandy

Ms. Sonali Das

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary.

Apparently, a police constable was video recording a developing situation whereupon he was assaulted. His mobile phone snatched and his personal belongings also taken away.

The version of the constable is corroborated by a statement recorded under Section 161 of the Code of Criminal Procedure.

The materials in the case diary implicate the petitioner in the incident of assault, snatching of phone and the personal belongings of the constable.

In such circumstances, we are unable to grant anticipatory bail to the petitioner.

Accordingly, prayer for anticipatory bail of the petitioner is rejected and the application being CRM (A) 744 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)