

02.05.2023

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Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M.(A) 1853 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kolaghat** Police Station Case No. **13** of **2022** dated **13.01.2022** under Sections 447/436/427/34 of the Indian Penal Code.

And

In Re : Sk. Murtoja & Ors.

..... petitioners

Mr. Arindam Jana

Mr. Partha Pratim Sinha

....for the petitioners

Ms. Sreyashee Biswas

....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, there are civil disputes between the private parties. He refers to the orders passed from time to time by the concerned Courts.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary including the seizure list and the statements recorded under Section 161 of the Code of Criminal Procedure (Cr.P.C.).

Apparently, an incident of arson took place. The de-facto complainant and his wife claimed that, they saw the petitioners to set the property on fire. Statements of post occurrence witnesses of the incident are on record.

There is an issue of long absconsion of the petitioners also involved.

The police case is dated January 13, 2022.

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

Accordingly, prayer for anticipatory bail of the petitioners is rejected and the application being CRM (A) 1853 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)