

16.05.2023

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Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M.(A) 2014 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Debra** Police Station Case No. **158** of **2023** dated **14.03.2023** under Sections 448/323/325/307/354B/427/506/509/34 of the Indian Penal Code.

And

In Re : Pravas Pal @ Gota & Ors.

..... petitioners

Mr. Navanil Dey
Mr. Rajeshwar Chakraborty
Mr. Srinjan Ghosh
Mr. Subhrajit Dey
Ms. Monami Mukherjee
....for the petitioners

Md. Anwar Hossain
Ms. Ratna Ghosh
....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioners submits that, the petitioners were falsely implicated. There was a previous complaint involving the provisions of the POCSO Act as against one of the injured. In retaliation, the present police complaint was lodged.

Learned advocate appearing for the State draws the attention of the Court to the statements of the two persons recorded under Section 164 of the Code of Criminal Procedure (Cr.P.C.).

Both the 164 Cr.P.C. statements implicate the petitioners in the incident of assault resulting in fracture injuries. One of

the 164 Cr.P.C. statements implicates the petitioners not only in the incident of assault but also outraging of modesty of a lady.

Considering the gravity of the offence and the involvement of the petitioners in the incident as transpiring from the materials in the case diary, 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) 2014 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)