

14. 30.06.2023
Ct.6 Tanmoy Ghosh

Rejected

CRM (A) 2473 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973, in connection with **Mathurapur Police Station Case No. 94 of 2023** dated **26/04/2023** under Sections **147/148/149/325/326/307/379/427/354B/506/436** of the Indian Penal Code, 1860 read with Section **10** of the POCSO Act..

And

In the matter of: - **Giyas Uddin Laskar & Anr.**

...petitioners.

Mr. Subhendu Bhattacharjee, Adv.,
Ms. Joyeeta Adhikary, Adv.

...for the petitioners.

Mr. Sudip Ghosh, Adv.,
Mr. Bitasok Banerjee, Adv.

...for the State.

The petitioners are two out of 37 accused persons. They say that the incident was an outcome of political rivalry. They have no connection with the incident. At any rate, they have no major role to play in the incident. They pray for anticipatory bail.

Learned Advocate for the State strongly opposes the prayer for anticipatory bail. He says that the petitioners were involved in setting the house of the victim on fire. Thereafter, they fled and are absconding. Learned Advocate drew our attention to submissions of various witnesses recorded under Sections 161 and 164 of the Code of Criminal Procedure, 1973. Those statements specifically name these two petitioners. The petitioners are also named in the FIR. None of the co-accused persons have been granted anticipatory bail.

Considering the nature and gravity of the charge and the possible extent of complicity of the petitioners in the alleged crime, and in view of the fact that investigation is in progress, we are not inclined to allow the prayer for anticipatory bail of the petitioners.

Accordingly, the application for anticipatory bail being CRM (A) 2473 of 2023 is dismissed.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)