

31.08.2023
SL. 18
Court No. 29
Sourav
(Rejected)

C.R.M. (A) 3543 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Raiganj** Police Station Case No. **668** of **2017** dated **19.09.2017** under Sections **448/304/436/34** IPC (corresponding to G.R. Case No. 1335 of 2017).

And

In the matter of: **Mahatab @ Mahatab Ali & Ors.**

....petitioners.

Mr. Kaushik Choudhury
Ms. Busra Khatun

...for the petitioners.

Mr. Prasun Kumar Datta, Ld. APP
Mr. Nirupam Dhali

... for the State.

1. Heard learned Counsel for the parties.
2. In a group fight between two groups, the house of the victim has been burnt and one person, namely, Satar Alli has died of multiple antemortem injuries, which speaks up merciless attack on him by the present petitioners. There is eyewitness account of the entire transaction. Though there is stated to be case and counter case, we are not inclined to exercise our discretion in favour of the petitioners under Section 438 Cr.P.C. because of the fact that the petitioners have taken law unto their hands and have acted mercilessly.
3. Accordingly, the prayer for anticipatory bail is rejected.
4. The application being **CRM (A) 3543 of 2023** is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

