

13.09.2023
ML. 42
Court No. 29
Suvayan
(Rejected)

C.R.M. (A) 3649 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Debra** Police Station Case No. **494 of 2022** dated **07.10.2022** under Sections **395/120B** of the IPC.

And

In the matter of: **Enamat Ali Khan @ Anamat Ali Khan & Ors.**

....petitioners.

Mr. Siddhartha Sarkar

Mr. Hirak Roy

...for the petitioners.

Mr. Avishek Sinha

...for the State.

1. Heard learned Advocate for the petitioners and learned Advocate for the State.
2. On perusal of the entire materials as placed before us it reveals that the name of the present accused petitioner No. 3 transpires in the written complaint itself.
3. So far as the petitioner No. 1 and 2 are concerned it appears that their names appears in course of investigation from statement of the co-accused. Sufficient materials have been placed before this Court that immediately prior to the occurrence of the incident and in course of the incident the present petitioners called each other in their present name.
4. Regard being had to the nature and seriousness of the offence as involved in this case, we are not inclined to exercise our discretion in favour of the petitioners under Section 438 Cr.P.C.
5. Accordingly, the prayer for the anticipatory bail is rejected.
6. The application being **CRM (A) 3649 of 2023** is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

