

21.09.2023
ML. 204
Court No. 29
Sourav
(Rejected)

C.R.M. (A) 3812 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Ranaghat** Police Station Case No. **287** of **2023** dated **12.05.2023** under Sections **448/307/379/427/34** IPC and adding Section **302** IPC (corresponding to G.R. Case No. 2334 of 2023).

And

In the matter of: **Bhabani Sankar Das & Ors.**

....petitioners.

Mr. Sumanta Das

...for the petitioners.

Ms. Zareen N. Khan

Mr. Ashok Das

...for the State.

1. Heard learned Counsel for the parties.
2. The present petitioners have been named in her statement under Section 164 Cr.P.C. which corroborates the FIR lodged by her. The statement of the wife of the deceased also finds corroboration from the statement of the other witnesses including the son, who received injury in the transaction.
3. From the post mortem report, it is found that it is a case of mob lynching out of some hatred.
4. Regard being had to the gravity of the offence, we are not inclined to exercise our discretion under Section 438 Cr.P.C. in favour of the petitioners.
5. Accordingly, the prayer for anticipatory bail is rejected.
6. The application being **CRM (A) 3812 of 2023** is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

