

15.09.2023
tkm/ct 28
sl no.51

C.R.M. (A) 4010 of 2023

In Re : An application under section 438 of the Code of Criminal Procedure in connection with Bhimpur PS case no. 253/2023 dated 9.7.2023 under sections 147/148/149/186/189/332/333/353/325/326/307/188/120B of the IPC read with section 3 of the Prevention of Damage to Public Property Act read with section 9 of the West Bengal Maintenance of Public Order Act
And

In Re : Dinesh Tan @ Dinesh Tah & Ors. petitioners

Mr. Kallol Mondal
Mr. K Ray
Mr. A Banerjee

..... for the petitioners

Mr. Swapan Banerjee
Ms. Suman De

..... for the State

1. Petitioners submit they are the members of a political party. They demanded ballot box should be kept under surveillance of Central Police Force. A commotion ensued. One of the petitioners was injured. They pray for anticipatory bail.

2. Learned lawyer for the State submits petitioner being armed, attacked police personnel. Police personnel were seriously injured and hospitalized. Co-accused have been arrested and are in custody.

3. We have considered materials on record. Statements of witnesses show presence of the petitioners at the place of occurrence. Police personnel were injured and hospitalized. Co-accused have been arrested. Investigation is in progress.

4. Under such circumstances, we are not inclined to grant anticipatory bail to the petitioners

5. Accordingly, prayer for anticipatory bail is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)