

29.11.2023
Sl. No.77
as
[REJECTED]

C. R. M. (A) 5085 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Malipanchghara Police Station Case No. 169 of 2023 dated 10.08.2023 under Sections 326/307/379/34 of the Indian Penal Code.

In Re: ***Tribhuban Mishra @ Sujit Mishra @ Sribansh Mishra & Anr.***
... .. Petitioners

Mr. Subhasish Pachhal.
... .. for the petitioners

Mr. Swapan Kr. Banerjee,
Ms. Sonali Bhar.
... .. for the State

Mr. Kallol Mondal,
Mr. Pawan Kr. Gupta,
Mr. Arun Upadhayay,
Mr. Rahul Kinkar Pandey,
Mr. Roshan Jaiswal,
Mr. Amit Singh.
....for the de-facto complainant.

1. Petitioners submit they are not the principal accused. They have been falsely implicated. They pray for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail.
3. Learned Advocate for the de-facto complainant also opposes the prayer for anticipatory bail.
4. We have considered the materials on record. Victim is a member of the legal profession. While he was going to his chamber he was accosted and brutally assaulted with fists, blows and iron rod. As a result, he suffered fracture in the nose and other parts of his face and head.
5. In view of the nature of accusation, we are of the opinion this is not a fit case to grant anticipatory bail to the petitioners.

6. Accordingly, the prayer for anticipatory bail is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)