

02.01.2023
Sl.97
Court No.29
(AD)
(Rejected)

C.R.M. (A) 6067 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kharagpur (Town)** Police Station Case No.**263 of 2022** dated **12.05.2022** under Sections **341/323/452/460/325/326/307/379/506 & 120B** of the Indian Penal Code along with **25 & 27** of Arms Act.
And

In the matter of: **Akhilesh Pandey**

....petitioner.

Mr. Nonigopal Chakraborty

... for the petitioner.

Mr. Sudip ghosh

Mr. Bitasok Banerji

...for the State.

Petitioner prays for anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated. There is a long-standing dispute amongst to private parties. The petitioner suffered from 60 per cent physical disability.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary including the statement of the victim recorded under Section 164 of the Code of Criminal Procedure.

The injured suffered gunshot injury. He recorded a statement under Section 164 of the Code of Criminal Procedure where he names three persons specifically out of the persons assaulting him.

The petitioner is one of the persons specifically named in the statement recorded under Section 164 of the Code of Criminal Procedure as a person who assaulted the petitioner.

Considering the gravity of the offence and the involvement of the petitioner in the incident, we are unable to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

C.R.M. (A) 6067 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)