

28.02.2023

Sl. No.27
akd
[Rejected]

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

C. R. M. (A) 134 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 07.02.2023 in connection with Dinhata Police Station Case No.224 of 2021 dated 05.05.2021 under Sections 341/325/326/427/435/307 of the Indian Penal Code read with Sections 3/4 of the Explosive Substances Act. (G.R. Case No.284 of 2021)

And

In Re: ***Khagendra Nath Barman & Anr.***

... .. Petitioners

Mr. Ankur Barman

... .. for the petitioners

Mr. Tapan Bhattacharjee
Mr. Dhiman Sil

... .. for the State

It is submitted on behalf of the petitioners that there was a free fight between two groups. Police had intervened. It is further submitted petitioners had been falsely implicated in the instant case.

Learned Advocate for the State opposes the prayer for anticipatory bail.

We have considered the materials on record. Statements of witnesses implicate the petitioners in the brutal assault. Victims were hospitalized. Medical record shows bomb blast injuries which corroborates the ocular version of the eyewitnesses. In view of the aforesaid incriminating materials, we are of the opinion this is not a fit case to grant anticipatory bail to the petitioners.

Accordingly, the prayer for anticipatory bail of the petitioners stands rejected.

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)

