

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri**

09.03.2023.
25.
as
(Rejected).

C.R.M. (A) 179 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Phansidewa P. S. Case No.457 of 2022 dated 14.10.2022 under Sections 147/148/149/447/186/358/379/411/307 of the Indian Penal Code read with Sections 25/27 of the Arms Act.

In the matter of : Md. Taiyab Ali & Ors.

... Petitioners.

Mr. Biprajit Das.

...for the Petitioners.

Mr. Aditi Shankar Chakraborty, Id. A.P.P.,
Mr. Kallol Nag.

.....for the State.

Petitioners submit they have been falsely implicated.

They pray for anticipatory bail.

Learned Advocate for the State opposes the prayer for anticipatory bail. He submits petitioners assaulted BSF personnel. They have criminal antecedents.

We have considered the materials on record. Report submitted on behalf of the State shows petitioners is involved in illegally smuggling cattle across the border. They assaulted the BSF personnel in discharging official duty.

In view of the nature of offence affecting public order, we are not inclined to grant anticipatory bail to the petitioners.

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

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)