

09.06.2023
Court No.01
Item No. 46
Rejected

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

sg

CRM (A) 302 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Sitalkuchi Police Station Case No. 42 of 2023 dated 16.02.2023 under Section 143/447/427/326/307/506/34 of the Indian Penal Code.

And

In Re: **Manarul Miah & Ors.**

Petitioner

Mr. Hillol Saha Poddar
Ms. Mousumi Das

For the Petitioner

Mr. Kallol Acharjee
Mr. Tapan Bhattaharjee

For the State

The learned Counsel for the petitioners submits that due to rivalry, the petitioners have been falsely implicated. In fact, the petitioners have also lodged a complaint against the de-facto complainant.

The learned Counsel for the State, however, opposes the prayer for bail and reliance has been placed on the injury report.

Considering the nature of injury transpired from the case diary and also having considered the involvement of the petitioners in the commission of the alleged offence, we are not inclined to grant anticipatory bail to the petitioners.

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

CRM (A) 302 of 2023 is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Raja Basu Chowdhury, J)

(Soumen Sen, J)

