

07.02.2024
Item No.17
Ct. No. 29
CHC
Rejected

C.R.M.(A) 398 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tehatta** Police Station Case No. **529** of **2023** dated **05.07.2023** under Sections **147/ 148/ 149/ 341/ 186/ 353/ 332/ 333/ 325/ 326/307/427/120B** of the Indian Penal Code, 1860 and Section **3** of Prevention of Damage to Public Property Act 1984, adding Section **212** of the Indian Penal Code, 1860 and Section **9** of Maintenance of Public Order Act, 1972.

And

In the matter of : Pritam Sekh @ Shaikh @ Sk.

..... petitioner

Mr. Amanul Islam,
Mr. Sourav Mukherjee
....for the petitioner

Mr. Bibaswan Bhattacharya
....for the State

Prayer for anticipatory bail is based upon the order dated January 9, 2024 passed in CRM(A) 4665 of 2023 on the ground of parity.

We granted anticipatory bail to some of the co-accused in CRM(A) 4665 of 2023 after returning a finding that such co-accused were not named either in the statement recorded under Section 161 or 164 of the Criminal Procedure Code. We, however, rejected the prayer for anticipatory bail of some of the co-accused whose named figured either in the two statements.

Petitioner before us is named as an assailant in the statement recorded under Section 161 of the Criminal Procedure Code.

Considering the gravity of the offence and the involvement of the petitioner in the incident as transpiring from the materials in the Case Diary, we are unable to grant anticipatory bail to the petitioner.

This application for anticipatory bail is, thus, rejected.

CRM(A) 398 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)