

21.02.2024

Item No.6

Ct. No. 29

CHC

Rejected

C.R.M.(A) 560 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kharagpur (Local)** Police Station Case No. **894/2023** dated **13.11.2023** under Sections **341/323/354A/354B/506/34** of the Indian Penal Code and Sections **3(1)(g)(r)(s)(w)** of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities Act), 1989.

And

In the matter of : Nil Akash Patra & ors.

..... petitioners

Mr. Soumyajit Das Mahapatra,
Ms. Madhurai Sinha

....for the petitioners

Mr. Binoy Panda,
Mrs. Manasi Roy

....for the State

Affidavit-of-service filed in Court be taken on record.

None appears for the de facto complainant.

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, there is a civil case pending between the private parties. There is a civil Court's order. Petitioners were falsely implicated.

We perused the materials in the Case Diary. Police complaint make out a case of user of derogative word as against the members of the scheduled caste in a public place. This claim of the de facto complainant stands corroborated by persons who witnessed the incident of assault where, derogative words were used as against the caste at a public place.

Considering such materials in the case diary, we are unable to grant anticipatory bail to the petitioners.

This application for anticipatory bail is, thus, rejected.

CRM(A) 560 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)