

27.02.2024
DL-13
Court No.29
(AD)
(Rejected)

C.R.M. (A) 661 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Narendrapur** Police Station Case No.**102 of 2024** dated **27.01.2024** under Sections **448/427/354B/325/308/195A/379/34** of the Indian Penal Code and under Sections **3/4** of the P.D.P.P. Act, 1984 (G.R. Case No. 5702 of 2024)

And

In the matter of: **Dr. Syed Imtiaz Ahmed**

....petitioner.

Mr. Bikash Ranjan Bhattacharjee, Ld. Sr. Advocate
Mr. Syed Arif Ahmed

... for the petitioner.

Mr. Bibaswan Bhattacharya ... for the State.

Mr. Suman Dey
... for the de facto complainant.

Petitioner prays for anticipatory bail.

Learned Senior Advocate appearing for the petitioner submits that the petitioner was falsely implicated. Petitioner is a headmaster of the school. There are a number of litigations pending. He points out that, the authorities did not find any wrong doings on the part of the petitioner.

State and the de facto complainant are represented.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary. He submits that a number of teachers suffered injuries in an incident of assault. He draws the attentions of the Court to a statement recorded under Section 161 of the Code of Criminal Procedure to the effect that, such person opened the gates of the school on a school day at the instance of the headmaster to let in 50 to 60 persons who committed the incident of assault.

Learned Advocate appearing for the de facto complainant submits that the petitioner as the headmaster of the school is guilty

of defalcation of funds. Petitioner used to extract more money from the students on different pretext. He submits that there are a number of litigations pending.

We perused the materials in the case diary.

Apparently, an incident of assault took place inside a school premises where a number of teachers suffered injuries. There is a statement recorded under Section 161 of the Code of Criminal Procedure implicating the petitioner before us in directing such person to open the gates of the school to allow 50 to 60 persons to enter the school premises on the school day when the incident took place.

Materials in the case diary suggest that such persons entered the school premises whereupon the incident of assault took place with teachers suffering injuries at their behest.

Considering such aspects and the materials in the case diary and considering the involvement of the petitioner in the incident, we are unable to grant anticipatory bail to the petitioner.

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

C.R.M. (A) 661 of 2024 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)