

26.02.2024

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Ct. No. 29

S.D.

REJECTED

C.R.M.(A) 626 of 2024

In Re:- In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kalna** Police Station Case No. **110 of 2024** dated **31.01.2024** under Section **341/323/354/307/506/34** of the Indian Penal Code.

And

In Re : Alam Sekh & Ors.

..... petitioners

Ms. Oindrila Ghosh

...for the petitioners

Ms. Eshita Dutta

...for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that wife filed five proceedings before the Jurisdictional Court. Thereafter, wife applied before the High Court for transfer of such proceedings. When the petitioners went to the Court premises, they were assaulted. A free fight took place. Petitioners also lodged a counter police complaint with regard to the incident of assault. Petitioners also received injuries.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary.

There are two injury reports. Injury reports do not classify any of the injuries as grievous hurt. There are statement recorded under Section 161 of the Cr.P.C. of eyewitnesses who claimed that the petitioners were involved in assaulting two injured persons within the Court premises.

Apparently, the incident of assault took place within the Court premises. Although the injuries sustained are not grievous hurt in nature, nonetheless, taking into consideration the fact that the incident of assault occurred within the Court premises and the petitioners participated therein, we are unable to grant anticipatory bail to the petitioners and the prayer for anticipatory bail is rejected.

The application being **CRM (A) 626 of 2024** is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)