

23.04.2024
Item No.7
Ct. No. 29
CHC
Rejected

C.R.M.(A) 1387 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. **842/2023** dated **30.10.2023** under Sections **323/325/307/354B/506/34** of the Indian Penal Code read with Sections 3(1)(r)(s)(w) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act.
And

In the matter of : Bimal Das @ Tinku & ors.

..... petitioners

Mr. Uday Sankar Chattopadhyay,
Ms. Reshmi Khatun,
Ms. Aishwarya Datta
....for the petitioners

Mrs. Subhasree Patel
....for the State

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

None appears for the de facto complainant despite service.

Police complaint was lodged pursuant to the order under Section 156(3) of the Criminal Procedure Code.

The complaint demonstrates that, words offensive to a person belonging to the scheduled castes was uttered by the petitioners in a public place.

In such circumstances, in view of the bar under Section 18 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, we are of the view that the application is not maintainable.

Consequently, we are unable to grant anticipatory bail to the petitioners.

This application for anticipatory bail is, thus, rejected.

CRM(A) 1387 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)