

24.04.2024
Item No.23
Ct. No. 29
CHC
Rejected

C.R.M.(A) 1433 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Indas** Police Station Case No. **183** of **2023** dated **10.11.2023** under Sections **341/323/379/506/34** of the Indian Penal Code, 1860 read with Sections 25(1B)(a)/27 of Arms Act.

And

In the matter of : Nanda Mondal & ors.

..... petitioners

Mr. Ayan Bhattacharya,
Ms. Koel Mukherjee,
Mr. Anurag Sardar,
Mr. Mahfuz Murshed,
Mr. Sayan Mukherjee
....for the petitioners

Ms. Sayanti Santra,
Ms. Rajashree Tah
....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, petitioners were falsely implicated. He refers to a mass complaint made by the members of the locality against the de facto complainant and other persons. He submits that, petitioners are the signatory to such mass complaint which was prior on the point of time. The de facto complainant registered the false police case. He submits that no fire arm was seized as nothing of that sort was used.

Learned advocate for the State draws the attention of the Court to the injury report as also to the statement of the injured and other persons.

Injury report of the victim suggests victim suffered injury by the part of fire arm.

Statement recorded under Section 161 of the Criminal Procedure Code suggest that, all three petitioners were involved in the incident of assault where a fire arm was used at least to inflict injury on the injured from the part of such fire arm. Materials also suggest that, gold chain was snatched. Incident requires investigation.

Enlarging any of the petitioners on anticipatory bail will be inimical to such investigation.

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

This application for anticipatory bail is, thus, rejected.

CRM(A) 1433 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)