

23.04.2024
Item No.18
Ct. No. 29
CHC
Rejected

C.R.M.(A) 1410 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Howrah** Police Station Case No. **27/24** dated **25.01.2024** under Sections **147/ 148/ 149/ 153A/ 186/ 332/ 333/ 353/ 307/ 427/506** of the Indian Penal Code read with Section 9/15C of the West Bengal Maintenance of Public Order Act and Section 3 of the Prevention of Damage of Public Property Act.

And

In the matter of : Maqsood Raza

..... petitioner

Mr. Sandipan Ganguly, Sr. Advocate
Mr. Ashok Das,
Mr. Sourav Mukherjee,
Ms. Hasi Jana

....for the petitioner

Mr. Tanmoy Kr. Ghosh,
Mr. Sourat Nandy

....for the State

Petitioner prays for anticipatory bail.

Learned Senior Advocate appearing for the petitioner submits that, petitioner is a Secretary of a religious organization. Petitioner was present in a procession. Petitioner did not partake in the violence that ensued.

Learned advocate appearing for the State draws the attention of the Court to the materials in the Case Diary. He submits that, police personnel were injured. Public properties were vandalized. Eyewitnesses as also injured places the petitioner at the place and time of occurrence and attributes

active role to the petitioner in the incident of assault and destruction of public property amongst others.

Materials in the Case Diary suggest that, petitioner was present at the place and time of occurrence and played active role in the incident.

Police personnel suffered injuries. Public properties were destroyed.

The incident occurred due to communal tension. A religious procession resulted in the incident.

Enlarging the petitioner on anticipatory bail will send wrong signal to the society.

In such circumstances, we are unable to grant anticipatory bail to the petitioner.

This application for anticipatory bail is, thus, rejected.

CRM(A) 1410 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)