

07.05.2024
DL-21
Court No.29
(AD)
(Rejected)

C.R.M. (A) 1595 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Raghunathpur** Police Station Case No. **14 of 2024** dated **23.01.2024** under Sections **147/148/149/186/332/333/325/326/353/307** of the Indian Penal Code, 1860 read with Section **9** of the West Bengal Maintenance of Public Order Act, 1972, Section **3** of the Prevention of Damage to Public Property Act, 1984 (G.R. Case No.49 of 2024)

And

In the matter of: **Jamshed Ansary @ Jamsed Ansary & Ors.**

....petitioners.

Mr. Navanil De
Mr. Shoumilya Mazumder

... for the petitioners.

Mr. Manoranjan Mahata

... for the State.

Mr. Satadru Lahiri
Mr. Sourav Pal
Mr. Jyotirmay Talukdar

... for the victim

1. Twenty persons before us are seeking anticipatory bail.
2. Learned Advocate appearing for the petitioners submits that, the principal accused was arrested and granted bail by the jurisdictional Court. None of the injuries suffered are grievous in nature. He submits that, at the instigation of the leaders, the petitioners, who are poor employees, participated.
3. Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary including the injury reports and the statements recorded under Section 161 of the Code of Criminal Procedure.
4. Learned Advocate appearing for the de facto complainant submits that, the management of a factory lodged a police complaint whereupon the police arrived at the spot to

investigate. The petitioners participated in the assault causing injuries to number of persons including police personnel.

5. There are materials in the case diary which shows that the police personnel suffered injuries. Statements of eye-witnesses including statements of injured persons places all the petitioners at the place and time of occurrence.
6. Active role so far as the petitioners are concerned stands ascribed to them.
7. Considering the gravity of the offence and the involvement of the petitioners in the incident, we are unable to grant anticipatory bail to the petitioners.
8. Accordingly, the prayer for anticipatory bail of the petitioners is rejected.
9. **C.R.M. (A) 1595 of 2024** is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)