

18.07.2024
SL No.25
Court No.29
(SSS)
(Rejected)

CRM (A) 2243 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Dum Dum Police Station Case No.70 of 2024 dated 19.02.2024 under Sections 302/34 of the Indian Penal Code.

And

In the matter of : **Avi Debnath @ Giridhari.**

- Petitioner.

Mr. Rajdeep Mazumder,
Mr. Pritam Roy,
Ms. Triparna Roy,
Mr. Souvik Palodhi
.....For the petitioner.

Mr. Soumik Ganguli,
Ms. Ankita Paul
....For the State.

Mr. Akash Sarkar
....For the De facto Complainant.

1. Learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated due to political rivalry.
2. Learned Counsel for the Opposite Party has produced the case diary and drawn our attention to the injury certificate, the medical examination report and the statement of the eye witness recorded under Section 164 of the Code of Criminal Procedure.
3. Considering the materials available in the case diary read with the statement of the eye witness recorded under Section 161 of the Code of Criminal Procedure which directly implicates the

petitioner amongst others and the injury report shows that it was due to assault and injury report shows that the victim prior to his death has been assaulted brutally and he suffered injuries on head and we are of the view that we are not inclined to grant anticipatory bail to the petitioner.

4. Accordingly, the application for anticipatory bail is rejected.
5. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)