

05.08.2024
Court No.29
Item No. ML-21

sg

CRM (A) 2309 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the BNSS, in connection with Beldanga Police Station Case No. 424 of 2024 dated 08.06.2024 under Sections 448/323/325/506/509/34 of the Indian Penal Code and section 3(1)(r) of the SC&ST(POA) Act.

And

In Re: **Basar Sk @ Basarul Haque & Anr.**

Petitioners

Mr. Arnab Chatterjee

Ms. Poulami Bose

For the Petitioners

Ms. Anasuya Sinha

Ms. Payel Ghosh

For the State

1. Considering the statement of the neighbours recorded under Section 161 of the Cr.P.C., which prima facie shows that the complainant was humiliated or assaulted on the basis of the caste by the present petitioners and the neighbours have directly implicated the petitioners of such alleged offence under Section 18 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, we are not inclined to grant anticipatory bail to the present petitioners.
2. Accordingly, the prayer for anticipatory bail of the petitioners is rejected.

(Soumen Sen, J.)

(Uday Kumar, J.)