

Court No. 29
(266041)

CRM (A) 2376 of 2024

15.07.2024
(AD 27)
(S. Banerjee)

In re: ^e An application for anticipatory bail under Section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagrik Suraksha Sanhita in connection with Mahisadal Police Station Case No. 413 of 2023 dated 09.07.2023 under Section 341/323/324/307/506/34 of the Indian Penal Code.

And

In the matter of: Sk. Serajul & Anr.

...petitioners

Mr. Swapan Kumar Mallick
Mr. Abhinaba Mukherjee

... for the petitioners

Md. Anwar Hussin
Mr. Nazmut Touhid

... for the State

1. Petitioners pray for anticipatory bail.
2. Learned counsel for the petitioners submits that there was a free fight between two groups and there have been cases and counter-cases between them. In respect of the counter-police complaint, accused were enlarged on anticipatory bail.
3. Learned counsel for the State has referred to the order passed by a co-ordinate Bench dated 20th May, 2024 whereby the prayer for anticipatory bail was rejected on the ground that all the petitioners stand implicated in an incident of assault where iron rods and sharp-cutting weapons were used. Six persons suffered serious injury. All the injured implicated the petitioners in such incident. The coordinate Bench considering the gravity of

the offence and involvement of the petitioners, rejected anticipatory bail of the petitioners in Sabera Bibi & Ors. –Vs.- State of West Bengal on 22.04.2024 in CRM(A) 1346 of 2024 and in CRM(A) 1659 of 2024 (Sk. Usiyar & Ors. –Vs.- State of West Bengal) on 20.05.2024.

4. The petitioners stand on the same footing. They have been implicated in an incident of assault where iron rods and sharp cutting weapons were used and injuries varied from head to other would on the body so far other police case is concerned.
5. On such consideration, we reject the application for anticipatory bail.
6. However, there shall be no order as to costs.

(Soumen Sen, J.)

(Uday Kumar, J.)