

13.08.2024
Court No.29
Item No. 37

sg

CRM (A) 2687 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 Nakashipara Police Station Case No. 369 of 2024 dated 17.04.2024 under Sections 447/326/307/34 of the Indian Penal Code.

And

In Re: **Selim Mallik & Ors.**

Petitioners

Mr. Sumanta Das

For the petitioners

Ms. Subhashree Patel

Mr. Rohit Mukherjee

For the State

1. The learned Counsel for the petitioners submits that the petitioners have been falsely implicated in the instant case. There is dispute over cultivation rights in which the brother of the petitioner nos. 1 and 2, Mithun Mallick, died. The wife of the petitioner also lodged a complaint with the Nakashipara Police Station.
2. The learned Counsel for the State, in opposing the prayer for anticipatory bail, has referred to the case diary, the statement of the injured and the injury report.
3. Considering the materials available in the case diary, the statement of the injured directly implicating the petitioners in the commission of alleged offence and also having regard to the nature of injury which appears to be

grievous and on the vital part of the body, we are not inclined to grant anticipatory bail to the present petitioners.

4. The application for anticipatory bail of the petitioner is rejected.

(Soumen Sen, J.)

(Uday Kumar, J.)