

13.08.2024
SL No.42
Court No.29
(gc)
(Rejected)

CRM (A) 2747 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Ratua Police Station Case No.378 of 2023 dated 09.04.2023 under Sections 341/323/325/326/307/506/34 of the Indian Penal Code.

And

In the matter of : **Sahanara @ Sahanara Bibi & Ors.**

- Petitioners.

Ms. Sohini Adhikari

....For the Petitioners.

Mr. Imran Ali,

Ms. Rafat Jahan

... For the State.

1. The memo of evidence is taken on record.
2. This is a second application for anticipatory bail.
3. The learned Counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated.
4. The learned Counsel for the State has produced the case diary and opposed the prayer for anticipatory bail. It is submitted that all the petitioners have been declared as proclaimed offender.
5. We have considered the materials on record and on verification it appears that all of them have been named by the victim in his statement recorded under Section 164 Cr.P.C. and the nature of injury has already been considered by the Coordinate Bench in refusing to grant anticipatory bail to the petitioners in the earlier proceeding. We do not find any reason to revisit the same. Moreover, it appears that all have been declared as proclaimed offender.

6. Accordingly, we are not inclined to grant anticipatory bail to the petitioners.
7. Accordingly, the application for anticipatory bail is rejected.
8. 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.)