

16.08.2024

Court No.29

Item No. 39

Rejected

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CRM (A) 2828 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure corresponding to Section 482 of the BNNS Act, 2023 in connection with Kaliganj Police Station Case No. 384 of 2024 dated 02.05.2024 corresponding to G.R Case No. 2454 of 2024 under Sections 341/323/325/307/354/34 of the Indian Penal Code.

And

In Re: Niyat Ali Sk @ Niyat Ali & Anr.

Petitioners

Mrs. Karabi Roy

For the Petitioners

Mr. Partha Pratim Das

Mr. Bikram Mitra

For the State

1. Learned counsel for the petitioners submits that the petitioners stand on the same footing as that of the accused persons who have been granted anticipatory bail earlier by this bench.
2. Learned counsel for the State has referred to the statement of the eye-witnesses recorded under Section 161 Cr.P.C.
3. Considering the materials available in the case diary, the nature and extent of complicity of the petitioners in the commission of the alleged offence that the petitioners have been directly implicated by the injured having assaulted on the forehead of the de-facto complainant and the injury appears to be grievous in nature, we are not inclined to grant anticipatory bail to the petitioners.
4. Accordingly, the prayer for anticipatory bail of the petitioners is rejected and the same is accordingly disposed of.

5. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J)

(Uday Kumar , J)