

04.09.2024

Court No.29

Item No. 27

Rejected

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CRM (A) 3073 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 in connection with Kaliachak Police Station Case No. 454 of 2024 dated 10.04.2024 corresponding to G.R Case No. 2296 of 2024 under Sections 448/341/324/326/307/34 of the Indian Penal Code read with Section 302 of the Indian Penal Code.

And

In Re: **Sukia Khatun**

Petitioner

Mr. Navanil De

For the Petitioner

Mr. Bibaswan Bhattacharya

Mr. Saibal Krishna Dasgupta

For the State

1. Learned counsel for the petitioner submits that the petitioner is not FIR named accused and she has been falsely implicated.
2. Learned counsel for the State in opposing the prayer for anticipatory bail has referred to the statement of the eye-witnesses recorded under Section 161 Cr.P.C and submits that the petitioner has been directly implicated along with others in the commission of the alleged offence. It is further submitted that in the CCTV footage she was present at the place of occurrence and actively participated in the alleged offence.
3. Considering the materials available in the case diary, the nature and extent of complicity of the petitioner in the commission of the alleged offence and having regard to the fact that the victim had died in the mean time because of injury sustained, we are not inclined to grant anticipatory bail to the petitioner.

4. Accordingly, the prayer for anticipatory bail of the petitioner 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)

(Shampa Dutt (Paul), J)