

06.09.2024

Court No.29
Item No. 17

BM/Aloke

CRM (A) 3137 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 Arambagh P.S. Case No. 399 of 2024 dated 18.07.2024 under Sections 329(4)/115(2)/117(2)/3(5) of the Bharatiya Nagarik Suraksha Sanhita, 2023, and adding Section 75 of the Juvenile Justice Care and Protection of Children Act, 2015, pending before the learned Additional Chief Judicial Magistrate, Arambagh, Hooghly.

And

In Re: Syed Abdul Baki & Ors.

Petitioners

Mr. Niladri Sekhar Ghosh
Ms. Sampurna Cahtterjee
Mr. Sourav Mandal
Mr. Roni Mandal
Ms. Laboni Sikdar

... For the Petitioners

Mr. Ararni Bhattacharya

... For the State

1. Heard the learned counsel for the parties.
2. The learned counsel for the petitioners submits that the petitioners are innocent and at the instance of the father of the de facto complainant by performing black magic in as much as there has been no grievous injury.
3. The learned counsel appearing of the State in opposing the prayer for anticipatory bail has referred to the statement of the de facto complainant and the injury report. It is further submitted that the victim is still in trauma for which her statement cannot be recorded.
4. Considering the materials available in the case diary and the extent of complicity of the petitioners in the alleged commission of offence and the fact that the victim was physically assaulted to occult healer and the nature of the

injuries suffered by the victim who is a minor, we are not inclined to grant anticipatory bail to the petitioners.

5. Accordingly, the prayer for anticipatory bail of the petitioners is rejected.
6. CRM (A) 3137 of 2024 is, thus, disposed of.
7. 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.)