

13.09.2024
Court No.29
Item No. 32
Rejected
SM/Asis

CRM (A) 3299 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 Tamluk Police Station Case No. 602 of 2024 dated 15.07.2024 under Sections 126(2)/118(2)/109/3(5) of the Bharatiya Nyaya Sanhita, 2023 presently pending before the Court of learned Chief Judicial Magistrate, Purba Medinipur at Tamluk.

And

In Re: **Sk. Abdul Hakim** Petitioner

Mr. Amitabha Karmakar,
Mr. Arup Kumar Bhowmick. For the Petitioner

Mr. Sandip Chakraborty,
Mr. Subhajit Chowdhury. For the State

1. Heard the learned counsel for the parties.
2. The petitioner is the principal accused. It is submitted that the petitioner is innocent and he has been falsely implicated in the instant case.
3. 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.
4. Considering the materials available in the case diary and the nature and extent of complicity of the petitioner in the commission of the alleged offence and having regard to the fact that the present petitioner appears to have inflicted physical assault that had resulted in multiple injuries on the body of the injured, we are not inclined to grant anticipatory bail to the petitioner.
5. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.
6. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Prasenjit Biswas, J.)