

20.09.2024
SL No.17
Court No.29
(s.biswas)

CRM (A) 3398 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Criminal Procedure Code corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Belur Police Station Case No.95 of 2024 dated 05.06.2024 under Sections 326/307/34 of the Indian Penal Code.

And

In the matter of : **Loknath Majhi @ Nemai Majhi @ Malinga**

- Petitioner.

Mr. Ashok Das
Mr. Sourav Mukherjee
Ms. Ayana Dey
Ms. Hasi Jana

....For the Petitioner.

Ms. Sonali Das
Mr. Tirupati Mukherjee

... For the State.

1. Heard the learned counsel for the parties.
2. The learned counsel for the petitioner submits that claiming parity with Sanjit Paswan, who was granted anticipatory bail by an order dated 20th August, 2024 passed by a Coordinate Bench in CRM (A) 2677 of 2024, the present petitioner may be granted anticipatory bail.
3. We have carefully read the order passed in respect of the Sanjit Paswan and the statement of the victim under Section 164 of the Criminal Procedure Code, where the petitioner had directly implicated Sanjit Paswan along with the present petitioner and the present petitioner is the assailant. On such consideration, we are not inclined to grant anticipatory bail to the petitioner.
4. Accordingly, the application for anticipatory bail is rejected.

5. 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.)