

26.09.2024

Court No.29

Item No. 19

Rejected

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CRM (A) 3491 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 Chapra Police Station Case No. 563 of 2024 dated 06.06.2024 corresponding to S.L No.2388 of 2024 and Charge-sheet No. 830 of 2024 dated 03.9.2024 under Sections 302/34 of the Indian Penal Code read with Sections 25/27 of the Arms Act, 1959.

And

In Re: **Abdul Hamid Sardar @ Hamid Sardar&Ors.**

Petitioners

Mr.Milon Mukherjee, Sr. Adv

Mr. Amanul Islam

Mr. Sourav Mukherjee For the Petitioners

Ms. FariaHossain

Mr. Ranit Mukherjee For the State

1. Heard the learned counsel appearing for the parties.
2. Considering the materials available in the case diary and more particularly the son of the deceased has specifically named the petitioner no. 4 recorded under Section 164 Cr.P.C and other witnesses as well and also having regard to the fact that all the petitioners, excepting the petitioner no. 4, have criminal antecedents, as revealed from the case diary and the report filed by the Investigating Officer, we are not inclined to grant anticipatory bail to the petitioners.
3. All the petitioners, excepting the petitioner no. 4, have criminal antecedents, as revealed from the case diary and the report filed by the Investigating Officer. All of them are facing sessions trial.
4. Mr. Milon Mukherjee, learned senior counsel appearing for the petitioners, submits that so far as the petitioner no. 4 is concerned, he has

no criminal antecedent and his case may be considered in that background, although the son of the deceased has specifically named the petitioner no. 4 in the alleged offence.

5. Accordingly, the prayer for anticipatory bail of the petitioners is rejected and the same is accordingly disposed of.
6. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(SoumenSen, J)

(Uday Kumar, J)