

07.10.2024
SL No.83
Court No.29
(gc)
(Rejected)

CRM (A) 3651 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Nakashipara Police Station Case No.767 of 2023 dated 13.09.2023 under Sections 147/148/149/325/307 of the Indian Penal Code and 25/27/35 of the Arms Act.

And

In the matter of : **Rafatulla Sk & Anr.**

- Petitioners.

Mr. Sumanta Das,
Mr. Avilash Tripathi

....For the Petitioners.

Ms. Mausumi Sarkar

... For the State.

1. Heard the learned Counsel for the parties.
2. Considering the materials available in the case diary and the nature and extent of complicity of the petitioner no.1 in the commission of the alleged offence and having regard to the statement of one of the injured directly implicating the petitioner no.1 of physical assault that the injured has suffered gunshot injury, we are not inclined to grant anticipatory bail to the petitioner no.1.
3. Accordingly, the application for anticipatory bail of the petitioner no.1 is rejected.
4. Insofar as the petitioner no.2 is concerned, it is submitted that the petitioner no.2 has already been arrested.
5. Accordingly, the application for anticipatory bail of the petitioner no.2 is dismissed as not pressed.

6. 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.)