

09.01.2024

Item No.153(M.L.)

Ct.No.29

dc./srm

Rejected

C.R.M. (A) 4777 of 2023

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Nanda Kumar Police Station Case No. 304 of 2023 dated 11.08.2023 under Sections 147/148/149/186/188/353/332/307/506/427/34 of the Indian Penal Code read with Sections 3/ 4 of the Prevention from Damage to Public Property Act and Section 9 of the Maintenance of Public Order Act.

And

In Re : **Sk. Salim & Ors.** ... Petitioners.

Mr. Saibal Mondal,
Mr. Arhan Sengupta ... For the Petitioners.

Mr. Swapan Banerjee,
Mr. Suman De ... For the State.

The application for anticipatory bail is taken up for consideration subsequent to the order dated October 17, 2023 passed by the Coordinate Bench.

By such order, an interim anticipatory bail was granted to the petitioners.

It is submitted at the bar that such order was passed without considering the materials in the case diary and in view of the ensuing puja vacation.

Learned advocate appearing for the petitioners submits that the petitioners were falsely implicated.

The incident arose with regard to Panchayat Election.

We perused the materials in the case diary.

Government vehicles were damaged. Government officials suffered injuries.

Petitioners are named in the First Information Report.

The role of the petitioners requires investigation.

Enlarging any of the petitioners on anticipatory bail will be inimical to the investigation.

In such circumstances, we are unable to confirm the interim order dated October 17, 2023 or grant anticipatory bail to the petitioners.

Accordingly, the prayer for anticipatory bail of the petitioners is rejected.

CRM(A) 4777 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)