

17.12.2024

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Rejected

C.R.M. (A) No. 4420 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Joypur Police Station Case No. 168 of 2024 dated 01.10.2024 under Sections 126(2)/117(2)/118(2)/74/3(5) of the BNS.

And

In Re : Asfar Sa @ Afsar Saho @ Jagga & Ors. petitioners

Mr. Debapriya Chatterjee

.....for the petitioners

Mr. Sanjoy Bardhan

Mr. Tirupati Mukherjee

..... for the State

Mr. Arindam Jana

Sk. Toslim Ali

..... for de facto complainant

1. Learned Counsel for the petitioners submits there was a free fight between the parties. Case and counter case were registered. They have been falsely implicated. They pray for anticipatory bail.

2. Learned Counsel for the State opposes the prayer for anticipatory bail.

3. Learned Counsel for the *de facto* complainant also opposes the prayer for anticipatory bail.

4. We have considered the materials on record. Though case and counter case were registered injuries on the petitioners and their associates are minor. On the other hand, victim suffered serious eye injury as well as internal fracture.

He was hospitalized. Statements of witnesses show petitioners had assaulted the victim. Under such circumstances we are not inclined to grant anticipatory bail to the petitioners.

5. Accordingly, prayer for anticipatory bail is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)