

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

05.04.2024
Court No.01
Item No.15
Avijit Mitra

CRM (A) 252 of 2024

In Re:- An application for anticipatory bail under Section
438 of the Code of Criminal Procedure;

And

In Re: Rajendra Barman

- Petitioner

Mr. Hillol Saha Poddar,
Ms. Mousumi Das
...for the Petitioner
Mr. Abhijit Sarkar,
Mr. Dhiman Sil
...for the State.

Apprehending arrest in connection with Pundibari Police
Station Case No.87 of 2024 dated 11.02.2024 under Sections
341/326/307/506 of the Indian Penal Code, the present
application has been preferred.

Mr. Saha Poddar, learned advocate appearing for the
petitioner submits that the petitioner has been falsely
implicated. The complaint was lodged about three days after the
alleged incident. The allegations are omnibus in nature and in
view thereof, custodial interrogation of the petitioner may not be
necessary.

Mr. Sarkar, learned advocate appearing for the State
opposes the petitioner's prayer and draws our attention to the
statement of the victim as recorded under Section 161 of the
Code and the injury report.

Upon hearing the learned advocates appearing for the respective parties and considering the materials on record, particularly the injury report, the manner in which the offence was committed and the extent of complicity of the petitioner, we are not inclined to exercise any discretion in his favour and his prayer for anticipatory bail is refused.

Accordingly, the application for anticipatory bail, being CRM (A) 252 of 2024, is dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Biswaroop Chowdhury, J.) (Tapabrata Chakraborty, J.)