

24.04.2024
SL No.18
Court No.1
(gc)
(rejected)

***Circuit Bench of Calcutta High Court
At Jalpaiguri***

CRM (A) 336 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Sitalkuchi Police Station Case No.27 of 2023, dated 03.02.2023 under Sections 341/326/34 of the Indian Penal Code and adding section 107 of the Indian Penal Code and read with Sections 25/27 of the Arms Act, 1959.

And

In the matter of : **Ajijul Mia @ Lal**

- Petitioner.

Mr. Hillol Saha Podder,
Ms. Mousumi Das
... For the Petitioner.

Mr. Aditi Shankar Chakraborty, Ld. A.P.P.,
Mr. Kallol Nag
... For the State.

1. It is submitted on behalf of the petitioner that the present accused petitioner has been falsely implicated.
2. The learned Counsel for the State opposes the prayer for anticipatory bail.
3. On perusal of the injury report of the victim, it reveals that the said victim suffered gunshot injury on his person.
4. From the statements of the witnesses as recorded under Section 164 of the Cr.P.C. it appears to us that the present accused petitioner was present at the time of commission of crime.

5. Considering the seriousness of the crime, we are not inclined to exercise our discretion under Section 438 of the Cr.P.C.
6. Accordingly, the prayer for anticipatory bail is considered and rejected.
7. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J.)

(Partha Sarathi Sen, J.)