

AD-32
Ct No.01
Jalpaiguri
21.08.2024
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**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Side**

CRM (A) 646 of 2024

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Bagdogra Police Station Case No. 131 of the 2024 dated 04.04.2024 under Section 341/325/307/34/302 of the Indian Penal Code, 1860.

And

In the matter of: Smt. Nandita Chakraborty (Banerjee)

.. petitioner

Mr. Nripen Das,
Mr. Debanjan Das

... for the petitioner

Mr. Sourav Ganguly,
Mr. Subhasish Misra,
Mr. Sanjiv Das

...for the State

1. The application for anticipatory bail is made on the ground that the FIR was registered nearly 15 hours after the incident.
2. This Court has carefully considered the case diary, the records and the statements of the witnesses under Section 164 of the Cr. P.C. What appears to this Court is a clear case of road-rage.
3. The incident occurred in the middle of the night when the victim was waiting, having conversation at a petrol pump after refueling his vehicle. The petitioner and her husband are stated to have aggressively, driven the vehicle into the petrol pump upon the victim protesting the rash act of the

applicants, the petitioner and her partner are stated to have brutally assaulted the victim.

4. In the facts and circumstances of the case and given the mindset of the victim of assaulting strangers on the road, this Court is not inclined to entertain the application for anticipatory bail of the petitioner.
5. Hence, CRM (A) 646 of 2024 shall stand dismissed.
6. All the parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Ajay Kumar Gupta, J.)

(Rajasekhar Mantha, J.)