

13.11.2024
Item no. 32.
Court No.1.
AB
(Rejected)

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

CRM (A) 825 of 2024

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973/Under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Tufanganj Police Station Case No.5 of 2024 Dated 01.01.2024 under Sections 302/201/34 of the Indian Penal Code

And

In the matter of : Jehrul Islam @ Jahurul Islam & Others

.....Petitioners.

Mr. H. S. Poddar,
Ms. Mousumi Das for the Petitioners.

Mr. A. S. Chakraborty, Id. APP
Mr. Kallol Acharjee
Mr. Subhasis Misra for the State.

Dictated by Arijit Banerjee, J.

1. The petitioners say that they have been falsely implicated. They have no role to play in the alleged murder. They are fully prepared to cooperate with the Police Authorities. They pray for anticipatory bail.
2. Opposing the prayer, learned State Counsel draws our attention to the statements of witnesses recorded under Section 161 Cr.P.C. The statements specifically implicate these petitioners along with other accused persons.

3. We are told that out of 12 accused persons, 11 persons, including these petitioners, are absconding. The charge is grave. There is prima facie incriminating evidence against the petitioners.
4. In view of the aforesaid, we are not inclined to allow the petitioners' prayer for anticipatory bail.
5. The prayer for anticipatory bail is rejected.
6. CRM (A) 825 of 2024 is dismissed.
7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Biswaroop Chowdhury, J.)

(Arijit Banerjee, J.)