

06.12.2024
SL No.11
srm/Mujahid
(Rejected)

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

C.R.M. (A) 976 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973/Section 482 of the B.N.S.S. 2023 filed on **29.11.2024** in connection with **Dinhata** P.S. Case No. **540/2024** dated **08.10.2024** under Sections 329(3)/115(2)/117(2)/118(1)/109/3(5) of B.N.S., 2023.

And

In the matter of: **Pradip Debnath & ors.**

....Petitioners

Mr. Sudip Guha

...for the petitioners

Mr. Saikat Chatterjee,
Mr. Chattu Roy

...for the State

Learned Advocate representing the petitioners prays for anticipatory bail on the ground that the petitioners have been falsely implicated following a land dispute. He submits that there is a counter-case also and following free fighting between the two groups, the incident allegedly occurred. He submits that custodial interrogation of the petitioners is not required.

Mr. Chatterjee, learned Advocate for the State produces the case diary and vehemently opposes the prayer for anticipatory bail. He submits that the injury report indicates that incision on the scalp caused by a sharp cutting weapon was detected. He further submits that the materials available in the case diary clearly indicate involvement of the petitioners and accordingly it would not be proper to extend the benefit of pre-arrest bail in favour of the petitioners.

Heard learned Advocates representing the respective parties. Considering the case diary and other materials including the medical reports, we are not inclined to grant anticipatory bail to the petitioners.

Accordingly, the prayer for anticipatory bail is rejected.

(Partha Sarathi Chatterjee, J.)

(Shampa Sarkar, J.)