

AD 14
April 28, 2025
Ct. 28
SG

Reject

CRM(A) 1089 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Raiganj P.S. Case No.1046 of 2023 dated 30.09.2023 under Section 3(1)(R) SC/ST Act Prevention of Atrocities Act, 1989.

And

In the matter of: *Hirak Mukherjee*

... *petitioner*

Mr. Amit Roy

... for the petitioner.

Ms. Baisali Basu

Ms. Baishakhi Chatterjee

... for the State.

Learned counsel appearing for the petitioner submits that as no prima facie case is made out under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, the application for anticipatory bail is maintainable.

Learned counsel for the State relies on the FIR and the statements of eye witnesses corroborating the statement of the de facto complainant as contained in the FIR. According to them, when the de facto complainant had gone inside the room of the Chairman, Board of Administrator, the present petitioner came there claiming himself to be a reporter and abused him in front of all taking the name of his caste.

It appears that a prima facie case is made out under the alleged provisions of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

In view of the above, the application for anticipatory bail is rejected as not maintainable.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)