

11.06.2021
Court No.28
SL No.33
PJ/KC

**CRM 2544 of 2021
(Through Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Harishchandrapur P.S. Case No.418/2020 dated 7.7.2020 under Sections 341/324/326/354/307/34 of the Indian Penal Code (G.R. Case No. 1319/2020);**

And

In the matter of: **Samsul Hoque,**

....Petitioner.

Mr. Kaustav Bagchi,

... for the Petitioner.

Mr. S.S. Imam

Mr. S. Roy,

...for the State.

This application for anticipatory bail has been filed apprehending arrest in connection with Harishchandrapur P.S. Case No.418/2020 dated 7.7.2020 under Sections 341/324/326/354/307/34 of the Indian Penal Code corresponding to G.R. Case No. 1319/2020.

Learned counsel for the petitioner submits that the FIR against his client dated 7.7.2020 is a counterblast to another proceeding taken out by the petitioner and other family members against the de facto complainant. 16 accused of the instant case have obtained bail.

It is however submitted by the learned counsel for the State that the petitioner has been absconding.

The learned Sessions Judge, Malda has recorded detailed reasons for refusing the prayer of the petitioner under Section 438 Cr.P.C. It appears that the petitioner is the person who had actually inflicted the blow which resulted in serious injury to one Nargis Khatun.

In that view of the matter and given the gravity of the allegation of the petitioner, the application under Section 438 Cr.P.C. stands rejected.

CRM 2544 of 2021 is accordingly dismissed.

The parties shall act in terms of the copy of the order downloaded from the official website of this court.

(Biswajit Basu, J.)

(Rajasekhar Mantha, J.)