

08.12.2022

Sl.27

Court No.29

(AD)

(Rejected)

C.R.M. (A) 5697 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nandakumar** Police Station Case No.**304 of 2022** dated **11/08/2022** under Sections **341/323/325/326/307/34** of the Indian Penal Code giving rise to G.R. Case No.2386 of 2022.

And

In the matter of: **Tarun Adhikary & Anr.**

....petitioners.

Mr. Amal Krishna Samanta

... for the petitioners

Mr. Prasun Kumar Datta, Ld. APP

Mr. Nirupam Dhali

... for the State.

Petitioners pray for anticipatory bail.

Learned Advocate appearing for the petitioners submits that the principal accused was arrested. The police filed charge sheet and, therefore, custodial interrogation of the petitioners is not required. He submits that the petitioners were not involved in the incident.

Learned Advocate appearing for the State draws the attention of the Court to the injury report of the victim and his statement recorded under Section 161 of the Code of Criminal Procedure.

The injured received injuries requiring the injured to be admitted to the ICU and in the hospital for 25 days.

There are injuries on the body of the injured made by sharp cutting weapon.

The injured implicates both the petitioners, amongst others, as persons who dealt the blows with the sharp cutting weapon.

In view of the gravity of the offence and the involvement of the petitioners therein, we are unable to grant anticipatory bail to the petitioners.

Accordingly, the prayer for anticipatory bail of the petitioners is rejected.

C.R.M. (A) 5697 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)