

**16.01.2023**

Sl.22

Court No.29

(AD)

(Rejected)

**C.R.M. (A) 156 of 2023**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nabadwip** Police Case No.**533 of 2022** dated **08.11.2022** under Sections **304 and 34** of the Indian Penal Code, 1860.

And

In the matter of: **Rakhi Brahma & Ors.**

....petitioners.

Mr. Amit Roy

... for the petitioners.

Mr. Arijit Ganguly

Mr. Avik Ghatak

...for the State.

Petitioners pray for anticipatory bail.

An eye-witness to the incident recorded his statement under Section 164 of the Code of Criminal Procedure.

He implicates all the petitioners in the assault on the victim.

The victim while being examined by the doctor named the petitioners as the assailants.

The victim died out of the injuries suffered by the assault.

In such circumstances, 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) 156 of 2023** is dismissed.

**(Debangsu Basak, J.)**

**(Md. Shabbar Rashidi, J.)**