

07.02.2023

Sl.19

Court No.29

(AD)

(Rejected)

C.R.M. (A) 523 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Saktipur** Police Station Case No.**198 of 2022** dated **02.11.2022** under Sections **341/323/325/307/354B/34** of the Indian Penal Code and after completion of investigation submitted charge sheet no.171 of 2022 dated 27.11.2022 under Sections **341/323/325/307/354B/34** of the Indian Penal Code.

And

In the matter of: **Rajesh Das & Anr.**

....petitioners.

Mr. Mobaidur Hossain

...for the petitioners.

Mr. Binay Panda

Mr. Subham Bhakat

...for the State.

Petitioners pray for anticipatory bail.

Learned Advocate appearing for the petitioners highlights the delay in the lodgment of the First Information Report.

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

The injured suffered grievous hurt.

The injured names the petitioners as the assailants.

The injured was admitted on November 4, 2022, operated on November 5, 2022 and November 7, 2022 and was discharged on November 9, 2022.

In such circumstances, considering the gravity of the offence and the involvement of the petitioners in the incident, 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) 523 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)