

03.05.2023

Serial no. 08

[Dd]

(Anticipatory bail)

(Rejected)

CRM (A) 1862 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Jagatballavpur** Police Station Case No. **201** of **2022** dated **10.09.2022** under Sections **302/34** of the Indian Penal Code.*

-And-

In the matter of : **Samjad Sk**

... ..Petitioner

Mr. Arindam Jana,
Mr. SK. Toslim Ali,
Mr. Arhan Sengupta, Advocate
... .. For the Petitioner
Mr. Soumik Ganguli, Advocate
... ..For the State

Co-accused was enlarged on bail by the coordinate Bench on April 10, 2023 passed in CRM (DB) 1400 of 2023 considering the period of detention of such co-accused and his involvement in the incident of murder.

The postmortem report of the victim suggests that the victim suffered fracture of C6 and C7 vertebra with injury in spinal cord at the corresponding level. The death was due to the effect of such injury.

Coordinate Bench found that the petitioner was involved in throttling the victim.

In such circumstances, considering the gravity of the offence and the involvement of the petitioner in the incident, we are unable to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner is **rejected**.

CRM (A) 1862 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)