

01.08.2023
(D/L 34)
Ct. No.29
(Rejected)
(SKB)

CRM (A) 2561 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Beldanga P.S. Case No.759 of 2022 dated 07.12.2022 under Sections 325/326/302/34 of the Indian Penal Code.

In the matter of : Mahasin Sk.

... Petitioner

Mr. Jisan Hossain,
Ms. Chandrima Debnath

... for the petitioner

Mr. Ranabir Roy Chowdhury,
Mr. Sandip Chakraborty

... for the State

1. Heard the learned Counsel for the parties.
2. From the statements of the witnesses recorded under Section 161 Cr.P.C., it is found that the present petitioner is one of the main assailants who is alleged to have assaulted the deceased by 'lathi'. The post-mortem report is corroborative of the fact that the injury sustained by the deceased are by blunt weapon.
3. Regard being had to the nature of allegation against the petitioner and the seriousness of the offence, we are not inclined to exercise our discretion in favour of the petitioner under Section 438 Cr.P.C.
4. With the aforesaid observation, the prayer for anticipatory bail is rejected.
5. Accordingly, CRM(A) 2561 of 2023 is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)