

07.08.2023
ML. 80
Court No. 29
Suvayan

(Rejected)

C.R.M. (A) 2841 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Gosaba** Police Station Case No. **117 of 2023** dated **20.06.2023** under Sections **448/323/376/511/506/34** of the IPC.

And

In the matter of: **Majibar Rahaman Sk. & Ors.**

....petitioners.

Mr. Asraf Mandal

...for the petitioners.

Mr. Avishek Sinha

...for the State.

Mr. Tirthankar Dhali

..for the de facto complainant.

1. Heard learned Counsel for both the parties.
2. Considered the statement of the victim recorded under Sections 161 and 164 Cr.P.C. alongwith the FIR. The allegation therein is corroborated by the medical examination report of the victim. There being allegation against all the petitioners and the allegation being serious, we are not inclined to exercise our discretion in favour of the petitioners under Section 438 Cr.P.C. though it is submitted before us that the entire transaction is outcome of political grudge especially when statement of the neighboring witnesses are there on record corroborating the version of the informant/victim.
3. Accordingly, the prayer for the anticipatory bail is rejected.
4. The application being **CRM (A) 2841 of 2023** is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

