

09.08.2023
ML. 146
Court No. 29
Suvayan
(Rejected)

C.R.M. (A) 2923 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Murari** Police Station Case No. **77 of 2023** dated **30.03.2023** under Sections **326/307** of the IPC.

And

In the matter of: **Bulbul Dafadar**

....petitioner.

Mr. Bitasok Banerjee

...for the petitioner.

Mr. Saibal Bapuli

Mr. Arijit Ganguli

Mr. Arani Bhattacharyya

...for the State.

1. Heard learned Counsel for both the parties.
2. The victim is alleged to have been attacked by a knife and there is an injury of approximately 3 c.m. x 1 c.m. deep over left shoulder with severe bleeding. The patient has been referred to R.M.C.H. for opinion of general surgeon. Coming to the statements of the witnesses including the victim it comes to light that in course of purchase of a watermelon there arose dispute between the victim who is the buyer and the petitioner who is the seller. So much of anger in a person who is vending in a public place is not a good sign for the society especially when it is concerned with a buyer and taking into consideration the injury sustained by the victim, we are not inclined to exercise our discretion in favour of the petitioner under Section 438 Cr.P.C.
5. Accordingly, the prayer for the anticipatory bail is rejected.
6. The application being **CRM (A) 2923 of 2023** is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

