

09.08.2023
ML. 147
Court No. 29
Suvayan
(Rejected)

C.R.M. (A) 2924 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Bongaon** Police Station Case No. **69 of 2023** dated **18.01.2023** under Sections **302/34** of the IPC.

And

In the matter of: **Pradip Bairagi**

....petitioner.

Mr. Susnigdho Bhattacharyya
Mr. Partha Pratim Roy
Ms. Bidisha Chakraborty

...for the petitioner.

Mr. Madhusudan Sur, APP
Mr. Manoranjan Mahata

...for the State.

1. Heard learned Counsel for both the parties.
2. There is eyewitness account of the entire transaction of assault involving the present petitioner and the victim has died as a result of assault.
3. Regard being had to the gravity of offence and the seriousness of the charge, 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) 2924 of 2023** is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

