

25.08.2023
ML. 496
Court No. 29
Suvayan
(Rejected)

C.R.M. (A) 3317 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Harirampur** Police Station Case No. **93 of 2023** dated **15.05.2023** under Sections **341/325/354/307/506/34** of the IPC.

And

In the matter of: **Kabiluddin Sarkar**

....petitioner.

Mr. Kaushik Choudhury
Ms. Busra Khatun

...for the petitioner.

Mr. Avishek Sinha

...for the State.

1. Heard learned Counsel for both the parties.
2. Taking into consideration the nature of injury which has resulted in internal hemorrhage of the victim, we are not inclined to exercise our discretion in favour of the petitioner under Section 438 Cr.P.C. as he is stated to be principal assailant, who assaulted on the head of the victim with a 'lathi'.
5. Accordingly, the prayer for the anticipatory bail is rejected.
6. The application being **CRM (A) 3317 of 2023** is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

