

28.08.2023
ML. 532
Court No. 29
Suvayan
(Rejected)

C.R.M. (A) 3353 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Mandir Bazar** Police Station Case No. **158 of 2023** dated **04.04.2023** under Sections **447/323/326/307/506/34** of the IPC.

And

In the matter of: **Jahir Uddin Gazi @ Jahir Gazi**

....petitioner.

Ms. Rita Patra
Ms. Puspita Das
Mr. M. F. A. Begg

...for the petitioner.

Mr. Prasun Kr. Datta, APP
Mr. Nirupam Dhali

...for the State.

Mr. Sayan Kanjilal

...for the de facto complainant.

1. Heard learned Counsel for both the parties.
2. The petitioner is alleged to have given a stab injury on the left side chest of the victim size of which is ½” X ½”. The left side chest being a vital part of the body and the petitioner having acted violently, we are not inclined to exercise our discretion in favour of the petitioner under Section 438 Cr.P.C., though there is stated to be case and counter case.
5. Accordingly, the prayer for the anticipatory bail is rejected.
6. The application being **CRM (A) 3353 of 2023** is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

