

**29.08.2023**  
SL. 53  
Court No. 29  
Suvayan  
(Rejected)

**C.R.M. (A) 3430 of 2023**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Tamluk** Police Station Case No. **86 of 2023** dated **31.01.2023** under Sections **304/34** of the IPC.

And

In the matter of: **Sk. Ajijur Rahaman & Anr.**

....petitioners.

Mr. Sk. Sahjahan Ali

...for the petitioners.

Mr. P. K. Datta, APP

Mr. Nirupam Dhali

...for the State.

1. Heard learned Counsel for both the parties.
2. Both the present petitioners are alleged to have given fist blows to the deceased causing fracture of some of his ribs on left side which ultimately caused the death of the victim after five days of the occurrence. There is eyewitness accounts about the incident regarding the involvement of the present petitioners so far as the assault is concerned.
3. Regard being had to the gravity of the offence, we are not inclined to exercise our discretion in favour of the petitioners under Section 438 Cr.P.C.
4. Accordingly, the prayer for the anticipatory bail is rejected.
5. The application being CRM (A) 3430 of 2023 is dismissed.

**(Chitta Ranjan Dash, J.)**

**(Partha Sarathi Sen, J.)**

