

04.10.2023
SL. 16
Court No. 29
Suvayan
(Rejected)

C.R.M. (A) 3866 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Murutia** Police Station Case No. **222 of 2023** dated **01.08.2023** under Sections **341/307** of the IPC.

And

In the matter of: **Khokan Sk. @ Safikul Sk.**

....petitioner.

Mr. Mobidur Hussain
Mr. tushar sil

...for the petitioner.

Mr. Joydeep Roy
Mr. Amanul Islam

...for the State.

1. Heard learned Advocate for both the parties.
2. The victim has died in course of his treatment, Section 302 IPC has been added to the charge by the I.O. There is consistent eyewitness account to the effect that the petitioner picked up the victim in course of altercation between the victim and the petitioner and hurled him on the ground. The deceased has died as a result of injury caused to the parietal region of his head.
3. Regard being had to the seriousness of the charge, we are not inclined to exercise our discretion in favour of the petitioner under Section 438 Cr.P.C especially when the investigation is on.
5. Accordingly, the prayer for the anticipatory bail is rejected.
6. The application being **CRM (A) 3866 of 2023** is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

