

25.09.2023
(D/L 36)
Ct. No.29
Rejected
(SKB)

CRM (A) 3936 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Nakashipara P.S. Case No.564 of 2023 dated 09.07.2023 under Sections 325/326/34 of the Indian Penal Code.

In the matter of : Ujjwal Biswas

... Petitioner

Mr. Khalid Hasan

... for the petitioner

Mr. S. S. Imam,
Sk. Arif Hossain

... for the State

1. Heard learned advocates for the parties.
2. Admittedly, the incident is alleged to have occurred out of a property dispute. It is alleged that the present petitioner assaulted the victim with a wooden stick for which the victim suffered fracture on his left hand followed by surgical intervention and hospitalisation.
3. Considering the involvement of the present petitioner in the alleged crime and also considering the brutal nature of the assault as alleged to have been inflicted by the petitioner upon the victim, we are not inclined to exercise our discretion under Section 438 Cr.P.C. in favour of the petitioner.
4. Accordingly, the prayer for anticipatory bail is rejected.
5. CRM(A) 3936 of 2023 is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)