

08.01.2024
Item No.30
Ct. No. 29
CHC
Rejected

C.R.M.(A) 18 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Baishnabnagar** Police Station Case No. **759** of **2023** dated **31.10.2023** under Sections **448/323/325/307/379/34** of the Indian Penal Code, 1860.

And

In the matter of : Ashim Mandal @ Asim Mandal & ors.
..... petitioners

Mr. Kalidas Saha
....for the petitioners

Mr. Anand Keshari
....for the State

Md. Wasim Akram
....for the de facto complainant

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, there a counter police complaint also. The incident of assault took place over a cattle entering into the land. Petitioners also sustained injuries.

State and the de facto complainant are represented.

We perused the materials in the Case Diary. Apparently, one injured suffered fracture on the right side of the head. There are citi scan of the brain of the such injured which suggest that such injured suffered subdural haemorrhage.

Learned advocate appearing for the de facto complainant submits that, such injured is required to undergo surgery.

Considering the gravity of the offence and the involvement of the petitioners in the incident where one injured was suffered such injury has to undergo surgery of brain, we are unable to grant anticipatory bail to the any of the petitioners.

This application for anticipatory bail is, thus, rejected.

CRM(A) 18 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)