

07.02.2024
Item No.24
Ct. No. 29
CHC
Rejected

C.R.M.(A) 405 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Dhubulia** Police Station Case No. **437** of **2023** dated **02.09.2023** under Sections **341/323/325/353/379/34** of the Indian Penal Code, 1860 and adding Section **307** of the Indian Penal Code, 1860.

And

In the matter of : Selim Mir

..... petitioner

Mr. Prabir Majumder,
Mr. Snehansu Majumder
....for the petitioner

Mrs. Rituparna De Ghose
....for the State

Advocate Commissioner appointed by the Court was assaulted.

A writ petition was required to be moved due to police inaction with regard to such complaint. In fact, such Advocate Commissioner was not only assaulted at the spot where, he was directed by the Court to carry out local inspection, thereafter, at the Court premises also. The petitioner stands implicated in such assault.

Other co-accused who was granted anticipatory bail by the order dated January 24, 2024 passed in CRM(A) 5022 of 2023 was found not to be present at the place and time of occurrence of the incident

We are pained to note that when we considered the CRM(A) 5022 of 2023 in which the order dated January 24, 2024 was passed, our attention was not drawn to the order of the Writ Court passed on October 18, 2023 in WPA 24992 of 2023.

In such circumstances, we are unable to grant anticipatory bail to the petitioner.

This application for anticipatory bail is, thus, rejected.

CRM(A) 405 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)