

25.07.2024
SL No.3
Court No.29
(gc)
(Rejected)

CRM (A) 2311 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure read with Section 482 of BNSS, 2023 filed in connection with Gopalnagar Police Station Case No.52 of 2023, dated 01.02.2023 under Sections 341/325/326/307/506/34 of the Indian Penal Code.

And

In the matter of : **Mithu Sikder alias Mithu Adhikary Sikder**

- Petitioner.

Mr. Susnigdho Bhattacharyya,
....For the Petitioner.

Mr. Kunal Ganguly
... For the State.

1. The Investigating Officer is personally present in Court and has tendered unconditional apology for not taking any steps to record the statement of the victim under Section 164 of the Cr.P.C.
2. The statement of the victim under Section 164 of the Cr.P.C. is placed before us.
3. On consideration of the statement of the victim read with the injury report, which is grievous in nature and having regard to the fact that the petitioner has directly implicated the petitioner for the alleged offence, we are not inclined to grant anticipatory bail to the petitioner.
4. Accordingly, the application for anticipatory bail is rejected.
5. Personal appearance of the Investigating Officer is dispensed with.
6. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)