

09.09.2024
AD-24
Court No.29
TN

CRM (A) 3154 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Tamluk Police Station Case No. 537 of 2024 dated 23.06.2024 under Sections 447/323/325/308/427/379/506/34 of the IPC but subsequently charge sheet submitted under Sections 447/323/325/326/308/427/506/34 of the IPC.

And

In the matter of: **Abdulla Khan @ Abdulla Kha**

.... petitioner

Mr. Swapan Kumar Mallick,
Mr. S. Das

....for the petitioner

Mr. Antarikshya Basu,
Mr. Santanu Talukdar

....for the State

1. The learned counsel for the petitioner submits that a false complaint has been lodged over a previous grudge and both sides have suffered injury. There has been case and counter-case between the parties.
2. The learned counsel for the State in opposing the prayer has referred to the case diary and the injury report.
3. Considering the materials available in the case diary, it appears that the victim was admitted at a government hospital and was released after 17 days of treatment and she received nasal bone fracture as well as swelling, ecchymosis and lacerated wound on her eyelids and moreover, the victim rightly implicated the petitioner for the alleged assault, we are not inclined to grant anticipatory bail to the petitioner.
4. Accordingly, the application for anticipatory bail is rejected.

5. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Shampa Dutt (Paul), J.)