

05.01.2024
02
Ct. No. 29
S.D.

C.R.M.(A) 4190 of 2023

In Re:- In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Burwan** Police Station Case No. **195** of **2023** dated **28.5.2023** under Section 341/448/326/427/120B/334 of the Indian Penal Code read with Sections 3/4 of the Explosive Substance Act.

And

In Re : Newton Kha @ Khan @ Neuton Khan & Anr.
..... petitioners

Mr. Sekhar Kumar Basu, Sr. Adv.,
Mr. Kusal Kumar Mukherjee
Mr. Diptangshu Basu
....for the petitioners

Mr. Sudip Ghosh
Mr. Bitasok Banerjee
...for the State

Mr. Pratip Kumar Chatterjee
Mr. Mrityunjoy Chatterjee
Mr. Masud Mallick
...for the defacto-complainant

Subsequent to the order dated December 11, 2023, the application for anticipatory bail is taken up for consideration. The petition was initially taken up for consideration on October 18, 2023 and on December 11, 2023. On both the dates, the Coordinate Bench adjourned the application for anticipatory bail.

Learned Senior Advocate appearing for the petitioner submits that, the application for anticipatory bail was adjourned in order to allow the petitioners to assail an order with regard to the issuance of Warrant of Arrest. He refers to

the order dated October 26, 2023 passed in C.R.R. 4384 of 2023.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary. He submits that, one person was murdered and others sustained injuries. The injured named the petitioners before us as the persons who assaulted them.

In an incident of assault, one person was murdered and several other persons received injuries. One of the injured named both the petitioners as the persons who were involved in the assault.

Considering the gravity of the offence and the involvement of the petitioners as transpiring from the materials in the case diary, prayer of anticipatory bail is rejected.

The application being CRM (A) 4190 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)