

02.01.2024

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Ct. No. 29
S.D.
REJECTED

C.R.M.(A) 4293 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nagerbazar** Police Station Case No. **222** of **2023** dated **29.6.2023** under Sections 341/325/326/307/34 of the Indian Penal Code.

And

In Re : Biswajit Das & Anr.

..... petitioners

Mr. Sourav Chatterjee
Mr. Pawan Kumar Gupta
Mr. Sougata Mitra
Mr. Rameshwar Sinha
Ms. Sofia Nesar
Mr. Santanu Sett
Ms. Soma Chakraborty

....for the petitioners

Mr. Jaydeep Roy
Ms. Sujata Das

....for the State

The application for anticipatory bail is taken up for consideration subsequent to the order dated October 16, 2023.

By such order, the Coordinate Bench granted interim anticipatory bail to the petitioners.

It is submitted at the bar that, the order granting interim anticipatory bail was passed just prior to the ensuing puja vacation without considering the materials in the case diary.

We perused the materials in the case diary.

The injured suffered cut injuries on the scalp. He was administered stitches over the scalp. Injured recorded

statement under Section 164 of the Cr.P.C. In his statement, the victim implicates both the petitioners in the assault. He stated that the petitioners assaulted him on his head by using a bottle and a stone.

Considering the gravity of the offence and the involvement of the petitioners in the incident, we are unable to confirm the interim order of anticipatory bail to the petitioners.

Accordingly, prayer for anticipatory bail of the petitioner is rejected and the application being CRM (A) 4293 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)