

02.01.2024

Serial no. 100

Anticipatory bail

[Rejected]

2d

CRM (A) 4357 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Domkal** Police Station Case No. **466** of **2023** dated **09.07.2023** under Sections **326/307/34** of the Indian Penal Code, 1860 and Section **25/27** of the Arms Act. (G.R. Case No. 3014/2023)*

-And-

In the matter of : **Akhil Chandra Sarkar & Ors.**
... ..**Petitioners**

Mr. Anisur Rahman, Advocate
... .. For the Petitioners

Mr. Abhra Mukherjee,
Mr. Dipankar Mahata, Advocates
... ..For the State

Petition is taken up for consideration subsequent to order dated October 16, 2023.

By such order, interim anticipatory bail was granted by the co-ordinate Bench.

It is submitted at the Bar that the co-ordinate Bench did not consider the materials in the case diary and passed such order in view of the ensuing Puja vacation.

Learned advocate appearing for the petitioners submits that petitioner no. 13 was arrested and, therefore, the application became infructuous so far as such petitioner no. 13 is concerned.

We perused the materials in the case diary. We find that, the victim suffered injuries resulting from gun shot and blast of crude bombs. The injured in their statements recorded under Section 161 of the Criminal Procedure names all the petitioners before us as the assailants.

In such circumstances, given the gravity of the offence and the involvement of the petitioners in the incident as transpiring from the materials in the case diary, we are unable to grant anticipatory bail to the petitioner nos. 1 to 12 and 14 to 32 or confirm the interim anticipatory bail granted on October 16, 2023.

CRM (A) 4357 of 2023 is **dismissed** so far as the petitioner nos. **1 to 12 and 14 to 32** are concerned.

CRM (A) 4357 of 2023 is **dismissed as infructuous** so far as **petitioner no. 13** is concerned.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)