

03.01.2024

Sl.86

Court No.29

(AD)

(Rejected)

C.R.M. (A) 4403 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Gazole** Police Station Case No.**578 of 2023** dated **22.07.2023** under Sections **447/323/325/307/506/34** of the Indian Penal Code, 1860, corresponding to G.R. Case No.4837 of 2023.
And

In the matter of: **Muntakim Rahaman & Anr.**

....petitioners.

Mr. Kazi M. Rahman ... for the petitioners.

Mr. S.S. Imam
Mr. S. Kundu

...for the State.

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

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

It is submitted at the bar that such order was passed without considering the materials in the case diary and in view of the ensuing puja vacation.

We perused the materials in the case diary.

In an incident of assault, two persons received stab injuries. One injured received stab injury in the abdomen while the other in the chin. Both the injuries were classified as grievous hurt and were caused by sharp weapons.

The injured in their statements identified the two petitioners among the three persons as those who stabbed them.

Considering the gravity of the offence and the complicity of the petitioners therein as transpiring from the materials in the case diary, we are unable to confirm the interim order dated October 16, 2023.

Accordingly, the prayer for anticipatory bail of the petitioners is rejected.

C.R.M. (A) 4403 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)