

05.01.2024

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Ct. No. 29

S.D.

REJECTED

**C.R.M.(A) 4499 of 2023**

In Re:- In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chanchal** Police Station Case No. **995** of **2023** dated **01.8.2023** under Section 325/326/354/308/427/341/379/34 of the Indian Penal Code.

And

In Re : Masirul Islam @ Nayan Ali & Ors.

..... petitioners

Mr. Nemaï Chandra Betal

....for the petitioners

Mr. Arijit Ganguly

Mr. Avik Ghatak

...for the State

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

By such order dated October 16, 2023, the petitioners were enlarged on an interim anticipatory bail.

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.

All the petitioners before us were involved in an incident of assault, causing the injured to suffer a head injury. Injured suffered cut injury at the right temporal region. Stitches were required to be administered upon the injured.

Police case requires investigation.

Enlarging any of the petitioners on anticipatory bail will be inimical to the investigation.

In such circumstances, we are unable to confirm the interim order dated October 16, 2023 or to grant anticipatory bail to any of the petitioners.

Accordingly, prayer for anticipatory bail of the petitioners is rejected and the application being CRM (A) 4499 of 2023 is dismissed.

**(Debangsu Basak, J.)**

**(Md. Shabbar Rashidi, J.)**