

04.01.2024

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Ct. No. 29

S.D.

C.R.M.(A) 4502 of 2023

In Re:- In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bharatpur** Police Station Case No. **271** of **2023** dated **31.7.2023** under Section 306 of the Indian Penal Code.

And

In Re : Masidul Sk. @ Nur Saraft Sk.

..... petitioner

Mr. Manas Kumar Das

Mr. Aritra Kumar Thokdar

...for the petitioner

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 petitioner was 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.

We find that the petitioner was arrested in a police case involving *inter alia* Section 376 of the Indian Penal Code, 1860 lodged by the victim. The petitioner obtained bail therein. Apparently, thereafter the petitioner was threatening the victim

whereupon she committed suicide. Role of the petitioner in the incident requires investigation.

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

Accordingly, prayer for anticipatory bail of the petitioner is rejected and the application being CRM (A) 4502 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)