

04.01.2024

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Ct. No. 29

S.D.

C.R.M.(A) 4526 of 2023

In Re:- In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kaliganj** Police Station Case No. **523** of **2023** dated **7.8.2023** under Section 341/325/326/307/34 of the Indian Penal Code and Section 3/4 of the E.S. Act.

And

In Re : Arman Sk. & Ors.

..... petitioners

Mr. Sourav Mukherjee

....for the petitioners

Mr. Binay Panda

Mr. Subham Bhakat

...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.

The petitioners before us stand implicated in an incident of assault where crude bombs were hurled. Bomb blast injuries were sustained by the injured although they were not hospitalized.

Petitioner no. 4 was arrested and enlarged on bail by the Coordinate Bench on December 21, 2023 passed in C.R.M. (D.B.) 4704 of 2023.

In such circumstances, C.R.M. (A) 4526 of 2023 is dismissed as infructuous in respect of the petitioner no. 4 is concerned.

So far as the other petitioners are concerned, we find that their names are mentioned as assailants by the injured and that they used crude bombs.

Considering the gravity of the offence and the involvement of the petitioner nos. 1, 2 & 3 in the incident, we are unable to confirm the interim order dated October 16, 2023 or to grant anticipatory bail so far as the petitioner nos. 1, 2 and 3 are concerned.

Accordingly, prayer for anticipatory bail of the petitioner nos. 1, 2 and 3 is rejected and the application being CRM (A) 4526 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)