

04.01.2024
Item No.111
Ct. No. 29
CHC
Rejected

C.R.M.(A) 4558 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Taherpur** Police Station Case No. **219** of **2023** dated **14.05.2023** under Sections **436/427/34** of the Indian Penal Code.

And

In the matter of : Paritosh Halder @ Nag Halder

..... petitioner

Ms. Minoti Gomes,
Ms. Dona Sanyal

....for the petitioner

Mr. Saibal Bapuli, Ld. A.P.P.
Mr. Bibaswan Bhattacharya

....for the State

Petition is taken up for consideration subsequent to the order dated October 16, 2023 passed by the co-ordinate Bench.

By such order, the coordinate Bench granted interim anticipatory bail to the petitioner.

It is submitted at the bar that, such order was passed without consulting the materials in the Case Diary and in view of the ensuing Puja Vacation.

We perused the materials in the Case Diary. There is a statement of eyewitness recorded under Section 161 of the Criminal Procedure Code implicate the petitioner in the incident of assault and setting on fire the house of the de facto complainant.

Considering the gravity of the offence and the involvement of the petitioner therein, we are unable to confirm the order dated October 16, 2023 or grant anticipatory bail to the petitioner.

This application for anticipatory bail is, thus, rejected.

CRM(A) 4558 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)